

By Mr. MOON: Paper to accompany House bill 1236, for the relief of Alpha Flynn—to the Committee on Military Affairs.

By Mr. PERKINS: Petition of C. B. Ford & Co. and other business firms of Rochester, N. Y., urging the passage of the bill to amend the bankruptcy law—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Paper to accompany House bill for the relief of W. P. Hooper—to the Committee on War Claims.

By Mr. SCOTT: Petition of citizens of Paola, Kans., advocating the adoption of a resolution of sympathy for the Boers—to the Committee on Foreign Affairs.

By Mr. SIBLEY: Resolutions of J. H. Mullin Post, No. 356, of Duke Center, Department of Pennsylvania, Grand Army of the Republic, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolutions of the United Cloak and Suit Cutters' Association No. 6, of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNOCK: Resolution of Henry Harriman Post, West Mansfield, Ohio, Grand Army of the Republic, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14332, granting an increase of pension to George W. Jacobs—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill 14335, granting a pension to Chance Miner—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14334, granting a pension to James Gillen—to the Committee on Invalid Pensions.

## SENATE.

SATURDAY, May 10, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

CATHARINE F. EDMUNDS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1172) granting an increase of pension to Catharine F. Edmunds, which was, in line 8, before the word "dollars," to strike out "thirty-five" and insert "thirty."

Mr. GALLINGER. I move that the Senate disagree to the amendment made by the House and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. BURTON, and Mr. GIBSON were appointed.

### PETITIONS AND MEMORIALS.

Mr. SCOTT presented a petition of Pocahontas Lodge, No. 533, Brotherhood of Railway Trainmen, of Bluefield, W. Va., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. BURROWS presented a petition of sundry citizens of Detroit, Mich., praying for the adoption of a resolution expressing sympathy with the people of the South African Republic and the Orange Free State; which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of 374 employees of the Portsmouth Navy-Yard, N. H., praying that some of the proposed new war vessels be built at the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Charlestown, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Concord Division, No. 335, Order of Railway Conductors, of Concord, N. H., and a petition of Tahanto Division, No. 335, Brotherhood of Locomotive Engineers, of Concord, N. H., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. COCKRELL presented a resolution adopted at a meeting of the West St. Louis Turn Verein of St. Louis, Mo., and a reso-

lution adopted at a meeting of the Germania Gymnastic Society of Missouri, expressing sympathy with the people of the South African Republic and the Orange Free State; which were referred to the Committee on Foreign Relations.

Mr. HOAR presented a memorial of the Massachusetts State Board of Trade, remonstrating against the admission into the Union as States of the Territories of Arizona and New Mexico, and praying for the maintenance of the legal-tender silver dollar at a parity with gold, etc.; which was referred to the Committee on Territories.

He also presented a petition of Bay State Division, No. 413, Order of Railway Conductors, of Charlestown, Mass., and a petition of City Point Lodge, No. 507, Brotherhood of Railroad Trainmen, of Boston, Mass., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. ALLISON. I present a concurrent resolution of the general assembly of the State of Iowa, which I ask to be read and referred to the Committee on Interstate Commerce.

The concurrent resolution was read, and referred to the Committee on Interstate Commerce, as follows:

#### THE STATE OF IOWA, SECRETARY OF STATE.

I, W. B. Martin, secretary of the State of Iowa, do hereby certify that the attached instrument of writing is a true and correct copy of a concurrent resolution passed by the legislature of the State of Iowa in relation to the Nelson-Corliss bill, as the same appears of record in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of the secretary of state of the State of Iowa.

Done at Des Moines, the capital of the State, April 30, 1902.

W. B. MARTIN,

Secretary of State.

By D. A. HITES, Deputy.

[SEAL.]

Preamble and concurrent resolution in relation to the interstate-commerce law.

Whereas it is generally believed that the effectiveness of the interstate-commerce law has been seriously impaired by certain decisions of the Federal courts, and that the law in its present state is practically inoperative in remedying the evils of the transportation service of the country, which was the purpose of its enactment; and

Whereas a bill, designated as H. R. 8337 and S. 3575, known as the Nelson-Corliss bill, is now pending in the two Houses of Congress to amend the interstate-commerce act, by conferring upon the Commission created thereby additional powers for the purpose of enabling it to enforce the provisions of the act and giving its rulings immediate effect, pending review by the courts: Therefore, be it

Resolved by the senate, the house concurring, That the Senators and Representatives in Congress from this State be, and are hereby, respectfully requested to give said measure careful consideration and to use their efforts in every proper way to secure its early enactment, or the enactment of some other measure which will afford the relief sought.

Adopted April 9, 1902.

Mr. ALLISON presented a petition of the Commercial Club of Muscatine, Iowa, praying for the enactment of legislation providing for the reorganization of the consular service; which was ordered to lie on the table.

He also presented a memorial of the Retail Grocers' Association of Pella, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Centerville, Iowa, praying for the enactment of legislation to repeal the so-called desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of Lodge No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, Iowa, praying for the passage of the so-called Foraker-Corliss safety-appliance bill; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the congregation of the Reformed Presbyterian Church of Morning Sun, Iowa, remonstrating against the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Lodge No. 28, Brotherhood of Railroad Trainmen, of Creston, Iowa, and a petition of Lodge No. 9, Brotherhood of Railroad Trainmen, of Mason, Iowa, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

He also presented a petition of the Equal Suffrage Club of Sheldon, Iowa, and a petition of the Equal Suffrage Association of Des Moines, Iowa, praying for the enactment of legislation providing for the appointment of a commission to investigate the workings of equal suffrage in the four enfranchised States; which were referred to the Committee on Woman Suffrage.

He also presented the petition of Mrs. H. C. Guernsey and sundry other citizens of Bloomfield, Iowa, and a petition of the general conference of the Reorganized Church of Latter-Day Saints of Lamoni, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Unions Nos. 246, 160, 29, 155, 40, 41, 214, 150, 68, 192, 136, 316, 43, 548, 7217, 310, 6303, 299,

and 379, of Des Moines, Dubuque, Mount Pleasant, Sioux City, Centerville, Cedar Rapids, Fairfield, Muscatine, and Marshalltown, all of the American Federation of Labor; of Local Division No. 71, Order of Railroad Telegraphers, of Lacey, and of Local Division No. 96, Order of Railroad Telegraphers, of Oelwein, all in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented petitions of Coopers' Local Union No. 26, of Ottumwa; of Butchers' Local Union No. 144, of Ottumwa; of Painters' Local Union No. 136, of Ottumwa, and of Mine Workers' Local Union No. 613, of South Ottumwa, all of the American Federation of Labor; of Lodges Nos. 138, 352, and 56, of Eagle Grove, Estherville, and Cedar Rapids, all of the Brotherhood of Railroad Trainmen; of Local Divisions Nos. 131, 229, and 56, of Sanborn, Mason City, and Centerville, all of the Brotherhood of Locomotive Engineers; of Lodges Nos. 112, 64, 34, 27, and 293, of Lake City, Sioux City, Clinton, Cedar Rapids, and Marion, all of the Brotherhood of Locomotive Firemen; of Local Divisions Nos. 232, 164, 410, and 67, of Sioux City, Eagle Grove, Belle Plaine, and Waterloo, all of the Order of Railway Conductors, in the State of Iowa, and of Local Division No. 96, Order of Railroad Telegraphers, of South Freeport, Ill., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. QUARLES presented a petition of 386 citizens of Fond du Lac, Wis., praying that an appropriation be made for the erection of a public building at that place; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Milwaukee, Wis., praying for the adoption of certain amendments to the internal-revenue laws relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of the Building Trades Council of Milwaukee, Wis., praying for the enactment of legislation providing for the regulation and control of trusts; which was referred to the Committee on the Judiciary.

He also presented a petition of the Milwaukee Ministerial Association, of Wisconsin, praying for the enactment of legislation to enlarge and improve the post exchange; which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Gymnastic Association of Sheboygan, Wis., and a resolution of the South Side Gymnastic Association, of Milwaukee, Wis., expressing sympathy with the people of the South African Republic and the Orange Free State; which were referred to the Committee on Foreign Relations.

He also presented petitions of Local Division No. 297, Brotherhood of Locomotive Engineers, of Green Bay; of Local Division No. 176, Brotherhood of Locomotive Engineers, of Baraboo; of Fox River Division, No. 373, Order of Railway Conductors, of Green Bay; of Local Division No. 253, Order of Railway Conductors, of Ashland, and of Local Division No. 168, Brotherhood of Locomotive Firemen, of North La Crosse, all in the State of Wisconsin, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. BLACKBURN presented a petition of sundry citizens of Kentucky, praying for the adoption of certain amendments to the internal-revenue laws relating to the tax on distilled spirits; which was referred to the Committee on Finance.

Mr. PETTUS presented sundry affidavits in support of the bill (S. 5658) for the relief of the Episcopal Church in Selma, Ala.; which were referred to the Committee on Claims.

Mr. HARRIS presented petitions of Local Division No. 261, Brotherhood of Locomotive Engineers, of Herington; of Local Division No. 368, Order of Railway Conductors, of Argentine; of Local Division No. 179, Brotherhood of Locomotive Engineers, of Parsons; of Local Division No. 179, Order of Railway Conductors, of Topeka; of Local Division No. 161, Order of Railway Conductors, of Parsons; of Carver Division, No. 28, Order of Railway Conductors, of Atchison; of Arkansas Valley Lodge, No. 96, Brotherhood of Railroad Trainmen, of Dodge City; of Lodge No. 281, Brotherhood of Railroad Trainmen, of Kansas City, and of Lodge No. 65, Brotherhood of Railroad Trainmen, of Osawatomie, all in the State of Kansas, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. FAIRBANKS presented petitions of Eureka Lodge, No. 14, Brotherhood of Locomotive Firemen, of Indianapolis; of Inland City Lodge, No. 374, Brotherhood of Railroad Trainmen, of In-

dianapolis, and of Local Division No. 138, Order of Railroad Conductors, of Garrett, all in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. CLAPP presented a petition of St. Paul Lodge, No. 122, Brotherhood of Railroad Trainmen, of St. Paul, Minn., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. McCUMBER presented a petition of the Woman's Christian Temperance Union of Muskogee, Ind. T., and the petition of Mrs. K. L. E. Murrow, of Atoka, Ind. T., praying for the enactment of legislation to regulate the prohibition laws in that Territory; which were referred to the Committee on Indian Affairs.

Mr. BEVERIDGE presented petitions of F. E. Dupell Lodge, No. 231, Brotherhood of Railroad Trainmen, of Terre Haute; of Lafayette Division, No. 302, Order of Railroad Conductors, of Lafayette, and of Local Lodge, Brotherhood of Railroad Trainmen, of Huntington, all in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7897) granting an increase of pension to Michael J. Daly;

A bill (H. R. 8466) granting a pension to Lucinda A. Sirwell;

A bill (H. R. 11644) granting an increase of pension to Edgar A. Hamilton;

A bill (H. R. 2661) granting an increase of pension to Oswald Ahlstedt;

A bill (H. R. 8409) granting an increase of pension to Cyrenus Larrabee;

A bill (H. R. 12778) granting an increase of pension to Edward R. Blain;

A bill (H. R. 13822) granting a pension to Hannah T. Knowles;

A bill (S. 4764) granting an increase of pension to Queen Esther Grimes; and

A bill (H. R. 5219) granting an increase of pension to Daniel Donne.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3292) granting a pension to Henry L. Reger; and

A bill (S. 4934) granting an increase of pension to Francis McAdams.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 4509) granting an increase of pension to Robert Lemon, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 13359) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, to report it with amendments, and I submit a report thereon. I desire to give notice that on Monday morning after the routine business I shall ask the Senate to proceed to the consideration of the bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 5373) granting a pension to Michael Connor, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 9249) granting a pension to Amos Allport;

A bill (H. R. 6721) granting an increase of pension to Andrew Ray;

A bill (H. R. 6021) granting a pension to William Kaste;

A bill (H. R. 4089) granting a pension to Ada L. McFarland; and

A bill (H. R. 6063) granting an increase of pension to John Brill.

Mr. PROCTOR. I am directed by the Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, to report it with amendments,



and I submit a report thereon. I give notice that on Tuesday morning after the routine morning business I shall ask for the consideration of the bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 7397) granting a pension to Louisa White, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2857) granting an increase of pension to Frances J. Haughton, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7085) granting a pension to Hannah H. Graham, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 5356) to establish an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota, reported it without amendment, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13249) granting an increase of pension to Ada Trowbridge; and

A bill (H. R. 12685) granting a pension to Hiram J. Springfield.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (H. R. 10165) granting an increase of pension to Delia E. Slocum, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5911) granting an increase of pension to Gilbert G. Gabrion;

A bill (H. R. 12458) granting an increase of pension to William M. Barstow;

A bill (H. R. 9569) granting an increase of pension to Albert Deits; and

A bill (H. R. 7918) granting an increase of pension to James C. Pettee.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (H. R. 11725) to amend section 4139 and section 4314 of the Revised Statutes, reported it with amendments.

He also, from the same committee, to whom were referred the following bills, reported adversely thereon, and the bills were postponed indefinitely:

A bill (S. 4358) to amend sections 4139 and 4314 of the Revised Statutes; and

A bill (S. 5273) to amend section 4139 and section 4314 of the Revised Statutes.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (H. R. 8840) granting an increase of pension to John H. Lauchly, reported it with an amendment, and submitted a report thereon.

Mr. SIMON, from the Committee on Pensions, to whom was referred the bill (S. 3819) granting a pension to William A. P. Fellows, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6663) granting a pension to John York, reported it without amendment, and submitted a report thereon.

ADELBERT L. ORR.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 1346) granting a pension to Adelbert L. Orr, to report it with an amendment, and as this is a case of the greatest possible distress I ask for the immediate consideration of the bill.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the committee was, in line 7, before the word "dollars," to strike out "thirty" and insert "seventy-two;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adelbert L. Orr, late a private, unassigned, Maine Volunteer Infantry, and pay him a pension at the rate of \$72 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### MANUFACTURING PLANTS IN INDIAN TERRITORY.

Mr. JONES of Arkansas. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 5718) providing for the sale of sites for manufacturing or industrial plants in the Indian Territory, to report it favorably without amendment, and I am directed by the committee to ask unanimous consent for its present consideration.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. The bill was reported to the Senate without amendment.

Mr. BAILEY. Mr. President, I suppose there is no way to avoid investing some authority in the Secretary of the Interior over this matter, though I sincerely wish there was, because if there is one man in this country who knows less about the Indian Territory than all other men in it is the Secretary of the Interior.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. PATTERSON introduced a bill (S. 5737) granting a pension to Alexander Craig; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5738) granting an increase of pension to William E. Fehrenback; and

A bill (S. 5739) granting an increase of pension to John N. Gillett.

Mr. PETTUS introduced a bill (S. 5740) authorizing the payment of the claim of M. A. Gantt & Son, for board and lodging to volunteers during the Spanish-American war; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 5741) granting a pension to Mrs. William H. Kendrick; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5742) granting an increase of pension to Moses Stockdale;

A bill (S. 5743) granting an increase of pension to Edward Whitehouse;

A bill (S. 5744) granting a pension to Fidelia Sellers; and

A bill (S. 5745) granting an increase of pension to James M. Lawder.

Mr. JONES of Arkansas (by request) introduced a bill (S. 5746) to correct the military record of Alexander J. Campbell; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5747) granting an increase of pension to James E. Bader; and

A bill (S. 5748) granting an increase of pension to Thomas D. Utler.

Mr. CARMACK introduced a bill (S. 5749) to authorize the construction of a bridge across the Tennessee River, in the State of Tennessee, by the Harriman Southern Railroad Company; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills, which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5750) for the relief of the estate of Lemuel Cox, deceased;

A bill (S. 5751) for the relief of M. E. Hall and the estate of James B. Hall, deceased;

A bill (S. 5752) for the relief of the estate of Levi Carmack, deceased;

A bill (S. 5753) for the relief of James J. Crunk;

A bill (S. 5754) for the relief of the estate of J. H. Frith, deceased;

A bill (S. 5755) for the relief of George W. Webster;

A bill (S. 5756) for the relief of the trustees of Washington College, in the State of Tennessee; and

A bill (S. 5757) for the relief of the estate of C. L. Davis, deceased (with an accompanying paper).

Mr. GAMBLE introduced a bill (S. 5758) granting an increase of pension to David Ham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 5759) granting an increase of pension to Charles T. Crooker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5760) granting a pension to Matilda Smith; and

A bill (S. 5761) granting a pension to Julia A. Heath.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5762) granting an increase of pension to William Northcraft (with accompanying papers);

A bill (S. 5763) granting an increase of pension to Joseph Kibbe;

A bill (S. 5764) granting an increase of pension to Isaac Hoagland (with accompanying papers);

A bill (S. 5765) granting a pension to Sylvester C. Peters (with accompanying papers);

A bill (S. 5766) granting an increase of pension to Clara Wible (with accompanying papers);

A bill (S. 5767) granting a pension to J. M. Baxter (with an accompanying paper);

A bill (S. 5768) granting a pension to Isador Alringer (with accompanying papers); and

A bill (S. 5769) granting an increase of pension to Edward D. Millis (with accompanying papers).

Mr. PATTERSON introduced a bill (S. 5770) granting an increase of pension to George E. Coryell; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Pensions.

#### RELIEF OF CITIZENS OF FRENCH WEST INDIES.

Mr. FAIRBANKS. Mr. President, I desire to introduce a bill and ask for its present consideration. After it is read for the information of the Senate I will say a word in its support.

The bill (S. 5736) for the relief of citizens of the French West Indies was read the first time at length, as follows:

*Be it enacted, etc.,* That the President of the United States be, and he is hereby, authorized to cause to be purchased such provisions, clothing, medicines, and other necessary articles as he shall deem advisable, and tender the same in the name of the Government of the United States to that of France for the relief of the citizens who have suffered by the late earthquake and eruption in the islands of the French West Indies.

SEC. 2. That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into operation this act.

SEC. 3. The Secretary of War is authorized to use necessary steamers and vessels belonging to the Government to carry into effect the purpose of this act.

Mr. FAIRBANKS. Mr. President, we are shocked by the intelligence which comes to us of the great destruction of life and property in the island of Martinique and of the probable loss of both life and property in adjacent islands. In all history there seems to have been but one disaster of similar character which was equal to it. It would seem from the reports which have come to us that it is exceeded only by the destruction of Pompeii. It is, indeed, to be hoped that later and more authentic reports may not justify the present estimate of the tremendous loss of human life.

That there is immediate necessity that aid should be extended to the survivors there is no doubt.

Let the United States lead in the work of caring for the stricken. She and her people have never yet failed to be moved by the cry of distress which has come up from other lands. Let us extend our sympathy for our unfortunate fellow-men and send with it from our abundant stores the means necessary to succor those upon whom has fallen a sudden and overwhelming calamity.

I believe that in tendering our sympathy and assistance we shall but interpret the wishes and purposes of the humane, generous American people.

I ask, Mr. President, for the present consideration of the bill.

Mr. SPOONER. I ask that the bill be read again.

The bill was read the second time at length.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENTS TO BILLS.

Mr. TALIAFERRO submitted an amendment proposing to appropriate \$25,950 to enable the Secretary of the Navy to consummate the purchase of additional land adjoining the naval station for naval purposes at Key West, Fla., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. CLAPP submitted an amendment intended to be proposed by him to the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for

public buildings, to authorize the erection and completion of public buildings, and for other purposes; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. COCKRELL submitted an amendment proposing to appropriate \$13,500 to grade and macadamize New Hampshire avenue, Whitney avenue (Jackson street) to Seventh street (Brightwood avenue), intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### NONDISAPPEARING CARRIAGES.

Mr. PROCTOR. I offer a resolution, and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of War be directed to inform the Senate how many barrette carriages have been manufactured in each year since July 1, 1893, and what has been the cost or price paid for manufacture. Also how many and what caliber of guns have been mounted during that time on non-disappearing carriages. Also report of contracts made with the Bethlehem Iron Company and Bethlehem Steel Company for guns and forgings and other ordnance material in each year since July 1, 1893, and the contract price.

Mr. WARREN. I do not know that I shall object to the present consideration of the resolution, but I ask permission to propound a question or two to the mover of it.

I wish to know what ground this particular resolution covers that has not already been covered by the three several resolutions which the Senator from Vermont has already introduced bearing on the same general subject?

Mr. PROCTOR. The resolutions that have been adopted by the Senate have asked for no information in regard to barrette carriages, the number manufactured, or the number of guns mounted on non-disappearing carriages. It is all a new inquiry.

Mr. WARREN. I shall not interpose an objection at this time, but if all this information is desired in conducting a certain inquiry that has been determined upon, and which should be consummated during the present session of Congress, then I hope the mover of the resolution has now included everything he needs or wants, or if still further information along the line is intended I hope the further inquiries may come in very soon. We have already had three, and this is the fourth resolution of similar import in the last three weeks, I believe.

The resolution was considered by unanimous consent and agreed to.

#### SALES OF OSAGE INDIAN LANDS.

Mr. HARRIS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be, and he hereby is, directed to inform the Senate—

First. The total amount of money received from the sale of the Osage ceded and the Osage trust and diminished reserve lands in the State of Kansas.

Second. The amount received by the Government from the sale of each class of said lands by each register and receiver.

Third. The amount paid (in fees or in salary) to each register and receiver out of the money received from such sales.

#### MILITARY ORDERS IN THE PHILIPPINES.

On motion of Mr. ALLISON, it was

*Ordered*, That there be printed 2,000 additional copies of Senate Document No. 347, first session, Fifth-seventh Congress, being a letter of the Secretary of War communicating certain information regarding the issuance of certain military orders by the military authorities of the United States in the Philippine Islands, for the use of the War Department.

#### ALLEGED CRUELITIES IN THE PHILIPPINES.

Mr. HOAR. Mr. President, I obtained leave a few days ago to print in the RECORD a statement of Bishop Lawrence, of Massachusetts, a very eminent clergyman of the Episcopal Church, in regard to the report of alleged cruelties in the Philippine Islands. My colleague [Mr. LODGE] had printed in the RECORD at that time all that had come to him—all that was printed in the paper—of the bishop's charge on the subject. The bishop has sent in a little fuller statement, not in any way in conflict with what my colleague presented, but making one or two other statements.

I had the right granted me by the Senate to have it printed yesterday, but I did not find it until this morning, for printing. I ask leave that it may be printed in the RECORD, and I should like to have it read. I think Senators would like to hear it. It is very brief and very temperate.

The PRESIDENT pro tempore. If there be no objection, the paper will be read.

The Secretary read as follows:

During the past few months vague rumors and well-authenticated reports of cruel treatment of the Filipino insurgents by our soldiers have been passing through the press and mail.

Within the last few weeks there have been made by responsible men, by soldiers and officials of the Government, statements of cruel and barbarous treatment of the natives by our soldiers acting under orders of superior officers, of methods of warfare which are condemned by civilized nations and are contrary to the regulations of our Army, such as have confirmed some of our worst fears and sent a shock of horror throughout the land.



It behooves the church to speak, and in the name of the Master and of humanity to utter her solemn protest. This in behalf of the diocese I now do. Against the background of the splendid work that is being done by our Government for the education and uplifting of the Filipinos, these deeds take on a blacker hue. Great as may have been the provocation in some instances, hard as were the conditions, treacherous as may have been the enemy, this people, we believe, will not countenance cruel or barbarous modes of warfare with even an inferior people.

Were we to do so, the worst punishment would fall upon ourselves in hardened natures and pitiless tempers. Condemned as such acts are by the people, I sincerely believe that they are even more keenly regretted and condemned by the rank and file of our Army, for not only is the country's honor at stake, but their honor as soldiers is in jeopardy.

Again, I express my confidence that, regardless of party issues and questions of political policy, the members of our National Administration, who are more intelligent than we as to the conditions, are just as alert as any citizen in the land to get at the facts and, in the spirit not of revenge but of justice, mete out punishment upon the offenders, such punishment as will convince the Filipinos as well as the people of this country that our work in those islands is not to degrade but to uplift, not to kill but to make alive.

One mistake might be made under the pressure of an indignant people which would be a disaster and a shame—it would be the hasty and unjust punishment of men who had not been proved guilty. With witnesses and accused separated by an ocean and a continent, justice can not be meted out in a day. We have, certainly I have, complete confidence in the justice, the humanity, and the courage of our President. Whether some of you have confidence in the other members of the Administration or not, I have; this President is the Administration.

Patience, self-restraint, caution as to our accusation of men still on trial—these, it seems to me, are the qualities that we need just now, and a strong support of the Administration in its efforts to redeem the fair name of this nation.

#### SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. PATTERSON, as follows:

*Resolved*, That the Interstate Commerce Commission be, and it is hereby directed to send to the Senate copies of the reports of its inspectors showing the condition and defects of safety appliances and the practice of operating trains by train or power brakes, as required by the act to promote the safety of employees and travelers upon railroads, approved March 2, 1893, on the following-named railroads and their leased lines: Baltimore and Ohio; Chesapeake and Ohio; Cincinnati, New Orleans and Texas Pacific; Erie; Illinois Central; Lehigh Valley; Louisville and Nashville; Lake Shore and Michigan Southern; New York, New Haven and Hartford; Norfolk and Western; Pennsylvania; Queen and Crescent; Southern, and Southern Pacific.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

The resolution was agreed to.

#### ARMY APPROPRIATION BILL.

Mr. PROCTOR. I move that the Senate proceed to the consideration of House bill 12804, making appropriation for the support of the Army.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12804) making appropriation for the Army for the fiscal year ending June 30, 1903, which had been reported from the Committee on Military Affairs with amendments.

Mr. PROCTOR. I ask that the formal reading of the bill be dispensed with, and that it be read for action first upon the committee amendments.

The PRESIDENT pro tempore. The Senator from Vermont asks that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, under the subhead "Adjutant-General's Department," on page 2, line 23, after the word "staff," to strike out "school" and insert "college;" and in line 25, after the word "artillery," to strike out "college" and insert "school;" so as to make the clause read:

United States service schools: To provide means for the theoretical and practical instruction at the artillery school at Fort Monroe, Va.; the school of submarine defense at Willets Point, N. Y.; the general service and staff college at Fort Leavenworth, Kans., and the cavalry and field artillery school at Fort Riley, Kans., etc.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of officers of the line," on page 4, line 17, after the word "dollars," to insert the following proviso:

*Provided*, That officers appointed to the Regular Army from the volunteer service, whose service has been continuous, shall, in the computation of leaves of absence after their appointment in the Regular Army, be entitled to the leave credits which accrued to them as volunteer officers where such leave credits were not availed of during their volunteer service.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of enlisted men," on page 5, line 6, after the word "dollars," to insert the following proviso:

*Provided*, That no enlisted man who has passed the examination for promotion shall be commissioned or paid as an officer until he shall have taken

such course of instruction as the President may deem necessary to determine his fitness for the grade of second lieutenant.

The amendment was agreed to.

The next amendment was, under the subhead "For pay of the staff," on page 8, line 9, after the word "dollars," to insert the following proviso:

*Provided*, That no officer detailed or appointed under the provisions of section 26 of the act of February 2, 1901, shall serve under such detail or appointment or be paid as if on the active list beyond the date of his retirement.

Mr. PROCTOR. In lieu of the amendment as printed I offer the amendment which I send to the desk, which means the same, but it is worded more accurately.

The PRESIDENT pro tempore. Then the amendment which has been reported by the committee will be rejected in the absence of objection. The amendment offered by the Senator from Vermont will now be stated.

The SECRETARY. After the word "dollars," in line 10, page 8, it is proposed to insert:

*Provided*, That no officer hereafter detailed or appointed under the provisions of section 26 of the act of February 2, 1901, who has less than four years to serve from the date of his detail or appointment to the date of his retirement shall serve under such detail or appointment or be paid as if on the active list beyond the date of his retirement.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, under the subhead "Retired officers," on page 11, line 13, after the word "cents," to strike out the following proviso:

*Provided*, That hereafter the Secretary of War shall have power to order any officer on the retired list before a retiring board, and if found competent by said board shall be returned to the active list.

Mr. PROCTOR. In lieu of the words which the committee reported to strike out, I offer the amendment which I send to the desk.

The SECRETARY. On page 11, line 13, after the word "cents," it is proposed to insert:

*Provided*, That the President or the Secretary of War may, when for the interest of the service, appoint officers on the retired list on court-martial, courts or boards of inquiry, or other service of that character, or upon the Board of Ordnance and Fortification, to fill any vacancy on that board, and without any restriction as to the corps to which such officers so appointed belonged while on the active list, and all officers appointed under this provision shall, while so serving, have the full pay of their rank.

The PRESIDENT pro tempore. The Chair understands that the amendment is to be inserted in the place of the words proposed to be stricken out by the committee.

Mr. PROCTOR. Yes.

The PRESIDENT pro tempore. The amendment as originally reported will be agreed to; and the amendment just read agreed to, in the absence of objection. The Chair hears no objection.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, on page 11, line 17, after the word "Provided," to strike out "further."

Mr. COCKRELL. I understand that the amendment offered by the Senator from Vermont was in lieu of the proviso which the committee reported to strike out.

Mr. PROCTOR. It was.

The PRESIDENT pro tempore. That is the way it was agreed to.

Mr. PROCTOR. That inserts one proviso, and so the amendment reported by the committee, in line 17, striking out the word "further" after the word "Provided," should be disagreed to.

The PRESIDENT pro tempore. The question is on the amendment of the committee, on page 11, line 17, after the word "Provided," to strike out the word "further."

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 11, line 21, after the word "President," to insert:

And when the ordnance storekeeper with the rank of major now on duty as disbursing officer and assistant to the Chief of Ordnance is retired he shall be retired with the rank of lieutenant-colonel.

The amendment was agreed to.

The next amendment was, on page 12, line 7, after the word "retirement," to insert "unless retired on account of wounds received in battle;" so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, \$425.00: *Provided*, That no part of this sum shall be used for payment of further increase of longevity pay to officers now on the retired list and officers hereafter retired from active service shall not be therefrom allowed or paid any increase of longevity pay above the sum allowed and paid to such officers at the date of retirement, unless retired on account of wounds received in battle.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 14, line 18, before the word "officers," to insert "commissioned," and in line 19, after the word "dollars," to insert the following proviso:

*Provided*, That hereafter the pay proper of all commissioned officers and enlisted men serving beyond the limits of the States comprising the Union

and the Territories of the United States contiguous thereto shall be increased 10 per cent for officers and 20 per cent for enlisted men over and above the rates of pay proper as fixed by law for time of peace, and the time of such service shall be counted from the date of departure from said States to the date of return thereto.

The amendment was agreed to.

The next amendment was, under the subhead "Philippine Scouts," on page 16, line 5, after the word "dollars," to insert the following proviso:

*Provided*, That all enlisted men of the Regular Army who served as commissioned officers of United States Volunteers organized in 1898 and 1899, or who have served or may be now serving as such in the Porto Rico Provisional Regiment or in the Philippine Scouts, who, upon their muster out, have returned or may return to the ranks of the Regular Army, shall have such period of service counted as if it had been rendered as enlisted men, and that they be entitled to all continuous-service pay and to count, in computing the time necessary to enable them to retire, as enlisted men.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster's Department," on page 23, line 24, after the word "Department," to strike out "and an inspection by such Department;" so as to make the clause read:

Horses for cavalry and artillery: For the purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, \$900,000: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, and unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster's Department, under the direction and authority of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 24, line 10, before the word "million," to strike out "three" and insert "four;" so as to read:

Barracks and quarters: For barracks and quarters for troops, storehouses for the safe-keeping of military stores, for offices, recruiting stations, and for the hire of buildings and grounds for summer cantonments, and for temporary buildings at frontier stations, for the construction of temporary buildings and stables, and for repairing public buildings at established posts, including the extra-duty pay of enlisted men employed on the same, \$4,000,000.

The amendment was agreed to.

Mr. PROCTOR. I move to strike out all after the word "for" where it occurs the second time in line 6, on page 14, down to and including the word "posts," in line 9, and to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 24, line 6, after the word "for," where it occurs the second time, it is proposed to strike out "temporary buildings at frontier stations, for the construction of temporary buildings and stables, and for repairing public buildings at established posts," and to insert "the construction and repair of such permanent or temporary buildings at established posts as the Secretary of War may deem necessary."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, on page 24, line 10, after the word "dollars," to insert:

And in addition thereto the Secretary of War is hereby authorized to expend for the construction of necessary garrison buildings the sum of \$250,000 from the unexpended balance of the appropriation for barracks and quarters for the fiscal year ending June 30, 1900, and the further sum of \$100,000 from the unexpended balance of the appropriation for barracks and quarters for the fiscal year ending June 30, 1901, which sums are hereby reappropriated; and whenever in the opinion of the President the lands and improvements, or any portion of them, of any military post or reservation have become undesirable for military purposes, he may, in his discretion, cause the same to be appraised and sold at public sale at not less than the appraised value, under such regulations as to public notice and terms and conditions of sale as he may prescribe, and the proceeds to be deposited in the Treasury, and all such proceeds are hereby appropriated for the purchase of such other lands as may be required for military purposes, or for building barracks and quarters on such other lands devoted to military purposes; and the Secretary of War is hereby authorized to make such purchases.

Mr. PROCTOR. I move to strike out all that portion of the amendment after the word "Treasury," in line 2 on page 25.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. After the word "Treasury," in line 2 on page 25, it is proposed to strike out:

And all such proceeds are hereby appropriated for the purchase of such other lands as may be required for military purposes, or for building barracks and quarters on such other lands devoted to military purposes; and the Secretary of War is hereby authorized to make such purchases.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, on page 25, after line 18, to insert:

Post exchanges: For the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, to be expended in the discretion and under the direction of the Secretary of War, \$500,000.

The amendment was agreed to.

The next amendment was, on page 26, line 3, after the words "Philippine Islands," to insert "including the acquisition of title to building sites where necessary;" so as to make the clause read:

For the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including the acquisition of title to building sites where necessary, to be expended in the discretion of the President, and to be immediately available, \$1,500,000; and the President is directed to report a detailed statement of the expenditure of this sum to each session of Congress until the entire appropriation is expended.

The amendment was agreed to.

The next amendment was, on page 30, after line 13, to insert:

For the purchase and preservation of the battlefield of Balls Bluff, and the soldiers' burial place there, and for putting the same in suitable condition, to be expended under the direction of the Secretary of War, the sum of \$5,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department," on page 32, line 3, before the word "dollars," to insert "two hundred thousand;" and in line 8, after the word "reappropriated," to insert:

And out of such sum so reappropriated an amount not exceeding \$200,000 is hereby made available, under such regulations as the Secretary of War may prescribe, for the payment, or the reimbursement of payments made, of just bills and charges for the support, care, and treatment, including proper hospital charges, of sick officers and enlisted men of the Regular and Volunteer armies of the United States while they were absent from duty on leave or on furlough, or otherwise, by direction or by permission of proper authority, on or after April 21, 1898, and up to and including April 11, 1899, in like manner as if the said officers and enlisted men had been on duty at the times when and places where the said bills and charges were incurred; and that the appropriations above designated shall remain and continue available for the purposes hereinbefore set forth for and during the term of two years from and after the date of the approval of this act.

So as to make the clause read:

Medical and Hospital Department: For the purchase of medical and hospital supplies, including disinfectants for military posts, camps, hospitals, hospital ships, and transports; for the purchase, installation, operation, and maintenance of ice-making plants; for expenses of medical supply depots; for medical care and treatment of officers and enlisted men of the Army on duty, and of prisoners of war and other persons in military custody or confinement, at posts and stations for which no other provision is made, under such regulations as shall have been or shall be prescribed by the Secretary of War; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Nurse Corps (female), and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignment, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men, and to render such other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department; for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the Hospital Corps; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,200,000, or so much thereof as may be necessary, from the balance remaining unexpended on June 30, 1902, of the appropriation of \$2,000,000 made by the act of March 2, 1901, is hereby reappropriated, and out of such sum so reappropriated an amount not exceeding \$200,000 is hereby made available, under such regulations as the Secretary of War may prescribe, for the payment, or the reimbursement of payments made, of just bills and charges for the support, care, and treatment, including proper hospital charges, of sick officers and enlisted men of the Regular and Volunteer armies of the United States while they were absent from duty on leave or on furlough, or otherwise, by direction or by permission of proper authority, on or after April 21, 1898, and up to and including April 11, 1899, in like manner as if the said officers and enlisted men had been on duty at the times when and places where the said bills and charges were incurred; and that the appropriations above designated shall remain and continue available for the purposes hereinbefore set forth for and during the term of two years from and after the date of the approval of this act.

The amendment was agreed to.

The next amendment was, on page 33, line 4, after the word "services," to insert "not personal;" and in line 9, before the word "reported," to strike out "immediately;" so as to make the clause read:

Purchase of medicines and medical stores, or the engagement of services not personal for the Medical Department of the Army, may be made by the Medical Department in open market in the manner common among business men when the aggregate of the amount required does not exceed \$300, but every such purchase or employment shall be reported to the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 35, after line 14, to insert:

That the Secretary of War is hereby authorized to expend the sum of \$500,000, or so much thereof as may be necessary, from the unexpended balance of the appropriation for barracks and quarters for the fiscal year ending June 30, 1900, which sum is hereby reappropriated, for the construction of the necessary buildings for the Engineer School at Washington Barracks, D. C.

The amendment was agreed to.

The next amendment was, on page 35, line 23, before the word



"trains," to strike out "pontoon" and insert "pontoon;" so as to make the clause read:

For pontoon trains, intrenching tools, instruments, and drawing materials, and for purchase and printing of engineer manuals for use in the engineer equipment of troops, \$25,000.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. BAILEY. Mr. President, if it is in order at this place, I desire to submit an amendment to the bill. It is to insert on page 1, after the word "three," in line 6, the following proviso:

*Provided*, That no money appropriated by this act, or by the act making appropriations for the support of the Army for the fiscal year ending June 30, 1902, shall be expended in defraying the expenses of anyone in going to, or coming from, or in attendance upon, the coronation of any hereditary king, prince, or potentate.

Mr. President, it is proposed, for the first time in the history of this Republic, to send a special embassy to attend the coronation of a King. That King, it is true, is the sovereign of a friendly Government and is entitled to all respectful consideration at the hands of our Government.

Mr. LODGE. May I ask the Senator a question? Is he quite correct in saying that this is the first time? Surely a special embassy was sent to the coronation of the Czar of Russia.

Mr. BAILEY. I was not aware of that. I was of the opinion that this is the first; but I am willing to accept the statement of the Senator from Massachusetts, who doubtless is more familiar with such matters than I am.

But even if I am mistaken in my statement of fact, I can not be mistaken in the proposition with which I intended to follow it. That proposition is this: That if we send this special embassy to the coronation of this monarch we must hereafter send a special embassy to the coronation of every monarch, or else we must affront the nations whose monarchs are hereafter to be crowned by making a discrimination against them.

Right at our door we have seen empires crumble to the dust, and upon their ruins we have seen patriots erect republican forms of government, and yet no man ever proposed that the United States should signalize the establishment of those republics by sending special embassies to the installation of their chief ruler.

If it be true that we have once before sent a special embassy to the coronation of a hereditary ruler, then I want to know if it is also true that any monarch ever sent a special embassy to witness the inauguration of a President of this Republic? And I pause for a reply from the Senator from Massachusetts, who is familiar with these questions.

Mr. LODGE. I do not think there has ever been any such case.

Mr. BAILEY. Then, Mr. President, can it be possible that as advocates and citizens of a republican form of government we are to confess before the world that monarchies are entitled to receive courtesies from us that they do not extend to us?

This is not the time and place to discuss the different forms of government. The people of Great Britain are entitled to a King if that kind of a government suits them best. I would not deny to the most powerful nor would I deny to the most helpless people in this world the right to establish their own form of government. While I might regret that in this enlightened age they saw fit to establish a monarchy instead of a republic, I would not offend the decent regard that nations ought to entertain for each other by assailing their choice. But what I protest against is that the greatest Republic in the world shall perform for monarchies a courtesy that monarchies have never performed for the Republic. When they esteem it to their advantage or according to their judgment to send embassies to witness the installation of a chief ruler chosen by the suffrages of a great people, then it may be asked that we shall return the compliment.

But, Mr. President, not only am I opposed to sending an embassy on an errand like that, I am likewise and equally opposed to the manner in which it is sought to be done. In the House of Representatives, if it be parliamentary for me to refer to that, they did insert a provision in an appropriation bill providing for these expenses, but it was intimated to those who control such matters that a direct appropriation was not necessary and that authority would be found under some of these appropriation bills to meet the expenses of this special embassy.

Not only, sir, do they intend to find the money without a direct appropriation for the purpose, but the President of the United States, it seems, intends to appoint an ambassador without the sanction of the Senate. Just exactly how he will describe the man who is sent as the chief representative of this Government, I am at a loss to know.

Mr. HOAR. I am sorry to interrupt the Senator, but I wish the amendment on which he is speaking might be read from the desk. It has not yet been read.

The PRESIDENT pro tempore. Will the Senator from Texas please send his proposed amendment to the desk, and will the Senator suspend for one moment while it is read to the Senate?

Mr. BAILEY. Certainly.

Mr. HOAR. I thank the Senator.

The SECRETARY. On page 1, after the word "three," in line 6, it is proposed to insert the following proviso:

*Provided*, That no money appropriated by this act, or by the act making appropriations for the support of the Army for the fiscal year ending June 30, 1902, shall be expended in defraying the expenses of anyone in going to, or coming from, or in attendance upon the coronation of any hereditary king, prince, or potentate.

The PRESIDENT pro tempore. The Senator from Texas will proceed.

Mr. BAILEY. Now, Mr. President, if our money is to be spent, let Congress authorize the expenditure; and if a representative of this Government is to be sent, then the Senate is entitled to say who shall go. He goes as a special ambassador. Such an official is as much to be confirmed by the Senate as the ordinary—I believe the diplomatic language is "extraordinary"—ambassador; and yet we have here the remarkable anomaly that we are to be represented by a man designated by the President to the Government of Great Britain when the Constitution requires that he shall be nominated by the President to the Senate of the United States; and then the expense of this illegally appointed ambassador is to be paid out of some appropriation not made for such a purpose and not justified under the will of Congress.

It seems to me if it is not intended to misuse this money for such a purpose there will be no objection to the amendment, and if it is intended to use it, then not only ought the amendment to be voted down, but the special authority ought to be given to the Secretary of War to use a part of the money appropriated in this bill for the purpose of sending officers of the Army to participate in the celebration.

Mr. LODGE. Mr. President, I should suppose this amendment might be open to the point of order, but whether it is or not it seems to me that to attempt to stop embassies to coronations by withholding the salary of a retired officer of the Army is hardly the way to reach it.

Mr. BAILEY. Let me say to the Senator from Massachusetts that this is the only way. If the matter had been brought before the Senate in a frank and open fashion, and the Senate had voted to send the embassy, I should never have uttered another word.

Mr. LODGE. The power of the President of the United States to send a special diplomatic agent for particular purposes or for a specific single purpose is entirely established. I think I am not mistaken in saying that Mr. Mann, who was sent to report on the condition of the revolution in Hungary, and from whose mission there came the famous Hulseman letter of Mr. Webster, was appointed in that way.

We have a much more recent case, when President Cleveland sent Mr. Blount to the Hawaiian Islands as paramount commissioner, giving him authority, as I remember, to overrule the minister who had been confirmed by the Senate. It seemed to me at the time to be going altogether too far, but that the President of the United States has authority to send a special agent for a special purpose to make a report or to present compliments or that he may detail an Army or Navy officer for that purpose, it seems to me is clear.

Mr. BAILEY. Will the Senator from Massachusetts permit me to suggest this difference, which exists in my mind? Undoubtedly the President would have a right to select a confidential friend or agent and to send him anywhere in the world to obtain information desired by the executive department of the Government; but an agent to obtain information, as in the first case to which the Senator alluded, is a different thing from making a man the representative of the Government.

Mr. LODGE. Where an ambassador or minister or agent is sent for a special purpose, whether that purpose be to acquire information or whether it be to deliver a special message of compliment, as in this case, it seems to me the President has the right to do it. This was done at the coronation of the Czar. I believe, in fact, I know, that a special ambassador has been appointed to Spain for the coming coronation of the King of Spain. Now this special embassy has been appointed to Great Britain.

Mr. HOAR. Mr. Curry has gone.

Mr. LODGE. Yes; Mr. Curry, who was appointed special ambassador to Spain, has gone, and I think the special ambassador to Great Britain has also gone. This is the third case; there may have been others in our history. Of that I am not aware. As to one of these special embassies (there are two, one to Spain and one to England) to put in an amendment saying that the retired Army officer is to be deprived of his pay on that account after the thing has been done, it seems to me would be a needless affront, and I can see no good reason for doing it at this time.

Now, having said that much, I will say to the Senator from Texas that with his general proposition I agree. I do not believe in these special embassies to coronations, and for one, speaking solely for myself, I sincerely hope that there will not be any more. I think that there is a great deal in what the Senator has said, but

the thing has been done, and I think now in the case of either Spain or Great Britain, if the amendment covers them both, to withhold the salary of some officer detailed for that duty would be a discourtesy which I should not wish to put upon any friendly power where we have advanced so far in what is merely a gracious and complimentary action.

Mr. COCKRELL. I should like to ask the Senator if the language of the amendment of the Senator from Texas would prevent an officer on the retired list or an officer on the active list of the Army who was sent over there from drawing his regular salary?

Mr. LODGE. If it would not, then it has no possible effect of any kind.

Mr. COCKRELL. I do not think it would.

Mr. BAILEY. The purpose was simply to prevent the Secretary of War from sending an active or a retired officer in the Army to report to the American ambassador at London, who would then say to this retired or active Army officer, "Attend the coronation of the King."

Mr. COCKRELL. How does it affect the salary?

Mr. BAILEY. It does not affect the salary at all, because the amendment provides that it shall not be used in defraying the expenses of anyone in going to or coming from or in attendance upon the coronation. It is not intended to touch the salary. That would be an effort to punish an officer who, being detailed, would have no choice but to go. I would not be willing to do that.

Mr. LODGE. I understood it was to withhold the salary if he went.

Mr. BAILEY. Oh, no; it is simply the expenses.

Mr. LODGE. I understand the Senator to mean that it is to prevent the Secretary from making that detail. Now, can we prevent the President, as Commander in Chief, from making any detail he chooses?

Mr. BAILEY. No; it prevents the appropriation which we make from being used to pay such expenses.

Mr. LODGE. Very well; then the President orders this officer or makes the detail and we take away the pay, which returns to the exact point I made, that it takes away the salary and the pay.

Mr. BAILEY. Which leads me to observe that under that kind of an amendment the Secretary of War would make no such order.

Mr. PROCTOR. I suppose the amendment of the Senator from Texas can only refer to the detail of an Army officer.

Mr. BAILEY. It would not otherwise be germane here. If I were satisfied that we will have an opportunity to vote directly on the question, I would not have offered this amendment. I will say to the Senator from Vermont that this is not my way of meeting propositions of this kind; but as we have been offered no opportunity to express ourselves directly, I resorted to this as the only possible way.

Mr. PROCTOR. The committee in examining this saw no vision of King Edward or anything that could be used for this purpose. I suppose the Senator sees no item in the appropriation that could be used except for the pay of an officer of the Army. I suppose there is no other possible one.

Now, as I understand it, the President has no authority to detail a retired officer of the Army. He may, I believe, detail a retired officer of the Navy; but I know of no law which authorizes the President or the Secretary of War to put a retired officer upon this duty, and he goes with no more security for his expenses than a civilian would have.

Mr. MONEY. Mr. President, this amendment of the junior Senator from Texas has opened a very interesting question. I share exactly his opinion about the propriety of a great republican Government sending a special ambassador to a coronation of any hereditary monarch.

In the first place, our diplomatic system has never embraced until recent years any such person as an ambassador. It has had ministers, ministers resident, envoys extraordinary and ministers plenipotentiary, and has gone no further. The reason of that was this, that an ambassador does not represent the government, but the person of the king. A minister represents the government of the country which accredits him. Until very recently it never occurred to the American Republic, until we had imperial tendencies here, that we could be represented abroad by an ambassador. When it comes to a special ambassador, then the person designated by the President of the United States becomes particularly the representative of the President of the United States. In other words, it is the courtesy which one crowned head gives to another one on occasions of great ceremony, like the coronation of a king, and occasions of great rejoicing, as in the case of the jubilee of Queen Victoria.

The word "ambassador" ought not to be in the vocabulary of the Republic. It has no business to be there. The only excuse for its being there to-day is that other countries seeing the importance which our Republic had attained desired to raise the rank of their

ministers here to that of corresponding courts in the Old World, and they could not do that unless we raised our ministers to the rank of ambassadors at their courts. That is the only reason why it was done.

Mr. SPOONER. The Senator has not forgotten that the word "ambassador" is in the Constitution?

Mr. MONEY. Yes, I recollect that, too; but I am speaking now of the meaning of the word "ambassador." It has been conceded, and nobody knows better than the Senator from Wisconsin, that an ambassador is a person representing not a government, but the person of the monarch of that government; and while it is true, and I very well understand that the word is used in the Constitution, it was never fixed in the diplomatic literature of this country until very recently, and for the reason I have given.

Mr. HOAR. Mr. President, I do not want to take any credit in this matter, because that provision was passed in a Democratic Administration a few years ago, and all of our first ambassadors were, without exception, Democrats.

Mr. BAILEY. It was a partially Democratic Administration.

Mr. BERRY. A so-called Democratic Administration.

Mr. HOAR. I do not want to say as to that matter; but certainly, so far as I know, it was before modern imperialism got started.

Mr. MONEY. Mr. President, I appreciate the force of the remarks of the senior Senator from Massachusetts [Mr. HOAR]; but this shows the tendency of the political ideas of this country, which has materialized in the last few years into something I call results, not vague and distant, but present in concrete form. As I said, a special ambassador—

Mr. HOAR. Mr. President—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. MONEY. Certainly.

Mr. HOAR. I should like to say right here that I once studied that matter very carefully and proposed the present provision, which passed the Senate and finally became a law, which resulted in the creation of the office of ambassador.

While it is true that in monarchical countries the word "ambassador" signifies a person who represents the person of the monarch, in ordinary diplomatic usage that signification has long gone by and become obsolete, and the word "ambassador" is now used ordinarily, and the official is appointed as indicating the superior importance of the state he represents at the court to which he goes. The universal diplomatic etiquette of mankind, except in this country, gave ambassadors precedence, so that if there were twenty ministers waiting at the foreign office of Great Britain or France they were received in the order of their seniority; but if an ambassador came in he went right into the presence of the foreign minister, though he came in after the whole of them, and they were obliged to wait.

This was the case with Mr. Lincoln and Mr. Coolidge. Mr. Lincoln was a man of great personal respectability and the son of Abraham Lincoln, and Mr. Coolidge was the grandson of Thomas Jefferson, though I do not know that that should make any difference, except that it would be likely to be respected abroad. The same was the case with Mr. Eustis. They would go to the foreign office in Paris or in London or in some other important country, wait there all day, and just as they were about to be admitted to an interview some ambassador, for instance, from the Argentine Republic or from Haiti, or some older minister would appear and be heard first, and they would have to come back another day.

So that Mr. Lincoln and Mr. Coolidge had to contrive methods which made it a favor, not a right, to get speech in the English foreign office under pretense of some social engagement or some other than a formal way. They complained of this most bitterly. I happened to be abroad and to see both of them, and they were full of that complaint. When I came home I said I would try to get that changed, and I introduced the amendment, which was adopted by our Committee on Foreign Relations and which passed the Senate and the other House and became a law.

So this matter of the ambassador representing the person of a king had nothing to do with the creation of that office. It was only that the United States might be received as a great and powerful nation, worthy to be respected and worthy to take the precedence which belonged to its character, and not to be cooling its heels until San Domingo, or Terra del Fuego, or Guatemala, or any such country had been heard, although the representatives of the United States had got there first. That is the whole of it.

Mr. MONEY. Mr. President, I had already stated in a sentence the reason which the Senator has given in such great detail for making ambassadors of our ministers plenipotentiary and envoys extraordinary. He has added nothing to the statement I made, except a mass of details with which we are all familiar.

As a matter of fact, no representative of a great country like



the United States cools his heels in any antechamber in Christendom or elsewhere. A government is heard in accordance with its importance and the importance of the business which its representative comes to present. The ambassador is nearer the person of the king, but he is not nearer the person of the government; and a minister has the same access to an administration, as it is called, as has an ambassador. It is not from the government, but from the person, the monarch, that the ambassador receives his exequatur.

As I said before, this matter of an extraordinary ambassador, when we have already an ambassador there, seems to be entirely unnecessary and pushing still further the idea to which I referred in the outset of my remarks. The ambassador is the direct representative of the person of the monarch who sends him to the monarch who receives him.

The word "ambassador," it is true, has been used, like many other words, with extraordinary latitude, and we have become accustomed to that until at last one-half of the English language has become the synonym of the other half. We have lost the value of terms, and nobody seeks now to derive a word to see exactly what it means. We hear it here every day. Senators say they are the ambassadors of their States, when they are nothing of the sort and have no such function. The word can be abused and has been abused, but the true diplomatic meaning of it is not changed. As I said in the beginning, the only reason that has been given to us was that our country had risen to such great importance in the world that we wanted to be able to say that our ministers should have such rank as would agree with the rank of those commissioned by the greatest countries of the world. The highest type of ambassador is a matter which concerns their diplomatic regulations, and not ours. Some of us may tickle ourselves for a moment by saying that we would have ambassadors to foreign courts, and they might have the same titles here.

I am not at all attacking the system as I find it; I am only enforcing what my genial young friend from Texas [Mr. BAILEY] said, that it is not the proper thing to do, and for the additional reason that other countries have never yet found it necessary to send an ambassador, a minister extraordinary, or a chargé d'affaires to the inauguration of any President. Have any of these countries ever deigned to send a special ambassador to us to attend the inauguration of our Chief Magistrate? They have ambassadors resident here at Washington whom they think quite sufficient to convey to us all the courtesy and all the good will of the nations they represent here when we change our Chief Magistrate; and it is quite sufficient that the ambassador we have at the Court of St. James should be charged, in addition to his routine and usual business, with the extraordinary function of presenting the good wishes and good will of the people of this country—not of its President, but of its people, who are the sovereigns here. There is but one sovereign in a republic, and that is the people. The others are but public servants, whatever their official place or their official capacity or function.

So I think the whole thing is inappropriate. I speak of these things because one opportunity has been offered. If the question again comes up on the payment of the ambassador, I shall have something to say to you about that. I do not suppose, however, that it will prevent the work going on; but it is well enough that occasionally the Senate should be brought to consider things as they once were and not as they now are.

Mr. HOAR. Mr. President, I agree with the argument of the Senator from Texas [Mr. BAILEY]. I agree that it is well for us to promote all the harmonious expressions of sympathy and good will which can be made between nations without going into "holy alliances" or compacts. I do not understand that the Senator from Texas objects to that; but it seems to me his point that we ought not ordinarily to pay marks of respect to other countries, whatever may be their form of government, that they do not pay to us, is well taken and is unanswerable, and I should think that practice ought not to go on.

But the trouble with the Senator's amendment, in my mind, is this: There are a great many things that it is not well to do in intercourse with other people, whether social or in the intercourse of governments; but having publicly done or begun to do a thing, if you take it back it turns it into an affront.

Queen Victoria touched very much the sympathies of our people when she sent her wreath to lay on the coffin of President Garfield, and the expressions of sympathy which came from foreign countries at the time of our recent bereavement moved and stirred the hearts of our people profoundly.

Now, suppose the reverse had been the case; suppose that the Emperor Alexander had been assassinated, as the old Emperor Alexander was, and the President of the United States had ordered a wreath to be placed on his coffin, and somebody had said in the Senate, "That is not a proper thing to do; this man has been a tyrant, and he has been murdered by some victim of his tyranny, stung to madness;" and while that wreath was on its

way both Houses of Congress put into an appropriation bill a provision that no money should be spent for furnishing wreaths for the funerals of dead emperors, they would have converted an act of courtesy into an affront.

Everybody knows that, whether wisely or unwisely, the President has sent to Spain, to represent us at the coronation, Dr. Curry, a very distinguished and highly respected gentleman from Virginia, who is a Democrat, I suppose, and belongs to the Senator's party. So there is no politics in it. Dr. Curry has gone, and one of the persons who has been selected to attend the coronation in England has gone, and is there now. After that has been done, to adopt such a provision as is proposed, which, as everybody knows, the people in those countries who read such things at all will read, that Congress disapproves of that, it seems to me would be a very awkward thing. While I entirely sympathize with the Senator's argument and am convinced by it—and the point which I have just suggested came from him and is new, so far as I recollect, and I think it very sound and wise—I hope that, after this expression and calling attention to this practice, we shall not actually put the proposition into legislation, as our ambassador has gone.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, being the bill (S. 2295) temporarily to provide for the administration of affairs of civil government in the Philippine Islands, and for other purposes.

Mr. PROCTOR. I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate may continue the consideration of the Army appropriation bill.

The PRESIDING OFFICER. The Senator from Vermont asks unanimous consent that the unfinished business may be temporarily laid aside and that the consideration of the Army appropriation bill be continued. Is there objection? The Chair hears none.

Mr. BAILEY. Mr. President, the suggestion of the Senator from Massachusetts [Mr. HOAR] is a very proper one, and it had occurred to me. Indeed, it had occurred to me with such force that at one time I hesitated about proposing this amendment.

But there is another view of this question which, it occurs to me, the Senate can not afford to pass without any notice, and it is the assumption—I choose to call it an assumption rather than a usurpation—the assumption on the part of the President of the United States that he alone, without the concurrence of the Senate, may appoint ambassadors to represent this Government.

The junior Senator from Massachusetts [Mr. LODGE] cited the case of Mr. Blount, who was sent by President Cleveland to the island of Hawaii; but the Senator from Massachusetts must recall that Mr. Blount was not sent as an accredited representative of this Government to any government. He was sent there simply as the President's special messenger to the representative of the United States who was then in that island. I believe that representative probably had hoisted the American flag, and Mr. Blount was sent there, not to tell the Government of Hawaii what was the pleasure or displeasure of this Government, but he was sent there to tell the American representative in that island to undo, not the acts of that Government, but the acts of the American representative. I undertake to say that you can analyze every such case and it will be found that where the President of the United States has assumed to send any man to any foreign country he has sent him there as the agent of the President, either to convey instructions to those under the President or has sent him there to collect information which the President desired to use in the discharge of the duties of his great office. In no single instance, I venture to say—although I say that without having especially examined the subject—has the President of the United States ever accredited a representative from this Government to another government without the advice and consent of the Senate.

Now, disagreeable as it may be, that the Senate should seem to interpose its negative upon a programme which the President has not only initiated, but which he has partially carried into execution, it seems to me there is nothing else left for us to do. I repeat for the second and third time that I should very much prefer that the matter should have come directly before the Senate, and I waited in the hope that it would; but one appropriation bill after another has been passed and yet, if nothing is done now, this whole transaction will be concluded, and so far as the history of the times may show there would appear to be no objection to the President of the United States assuming the power to accredit representatives from this Government to a foreign government for this special occasion.

I am unwilling that this shall appear, and, not as the best method, but as the only method left open by which the Senate can express its disapproval of such a course, I shall insist upon the amendment.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Texas [Mr. BAILEY]. [Putting the question.] The "noes" seem to have it.

Mr. BAILEY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SPOONER. I want to say a single word, Mr. President, before the vote is taken.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. SPOONER. I do not understand that the Senator from Mississippi [Mr. MONEY], in his observations about the incompatibility in the office of ambassador with a republican form of government, was in agreement with anything the Senator from Texas [Mr. BAILEY] said.

Mr. MONEY. I can not help that.

Mr. SPOONER. The Constitution, as I suggested to the Senator—of course he knew it, but perhaps for the moment had forgotten it—was framed by men very familiar with international etiquette and with the methods of diplomacy, and by men who knew very well what was in harmony with a republican form of government. They made the Constitution for a Republic which, with all our wonderful growth, has been found entirely adequate. They contemplated that other governments might send ambassadors to this Republic, and so they gave to the President the power to "receive ambassadors and other public ministers." They also gave him the power to "nominate, and, by and with the advice and consent of the Senate," to "appoint ambassadors and other public ministers," etc.

I suppose they thought that other governments might send ambassadors to us, and then if ambassadors were sent to us it might become entirely proper, and indeed almost necessary as the life of the Republic went on, that we should send to them in turn diplomatic representatives of equal rank. When the Senator, contradicting the distinguished Senator from Massachusetts, observed that because of our power and dignity American ministers of whatever character had never cooled their heels in the anterooms of foreign governments, I think he was abundantly mistaken. If I am correctly informed, that has frequently been the case.

Mr. HOAR. If the Senator will pardon me, in addition to what I stated of the complaint made to me in person by Mr. Lincoln and Mr. Eustis when the subject was being considered here, Vice-President Morton was in the chair of this body; he had just been minister to France, and he expressed very earnestly to Senators the same complaint, that he had himself suffered from this want of rank, and he took great interest in having the amendment for the creation of ambassadors passed.

Mr. SPOONER. Vice-President Morton expressed the same views to me; and others who have represented the United States abroad have spoken with very great bitterness of the fact that their inferiority in rank—and we can not determine that for other nations—had been to them a source of embarrassment in the transaction of public duty, and not only that, but a constant source of humiliation.

So I think it was all right in the fathers in the establishment of this republican Constitution to contemplate the sending of ambassadors to us and to provide for our sending of ambassadors abroad when, in the opinion of the Congress and the President, the public interests would be thereby well subserved or better subserved.

I agree entirely with the Senator from Texas [Mr. BAILEY] that under the Constitution an ambassador is a constitutional officer and can not be sent abroad without the action of the Senate. The Constitution upon that subject is very plain. Nothing can be plainer.

And he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, etc.

What a "special ambassador" is as contradistinguished from an "ambassador," mentioned here in the Constitution, I have not yet learned.

Mr. BACON. Does the Senator think there is any such distinction?

Mr. SPOONER. I do not think, because I have not learned that there is.

Mr. BACON. But the Senator does think. The Senator is not one of the nonthinking kind. The Senator is an eminent lawyer.

Mr. SPOONER. I thank the Senator.

Mr. BACON. And as the point is raised, I should like to have the Senator state whether he believes the proposition as stated by the junior Senator from Massachusetts [Mr. LODGE] is correct, that the President of the United States has a right to draw the distinction between one kind of ambassador and another kind. Has the Senator not determined in his own mind which is the one whose name is to be sent by the President to the Senate in obedience to the Constitution, and which one he can send abroad without any reference to the consent of the Senate?

Mr. SPOONER. I do not think any ambassador can be sent from the United States to a foreign court without a nomination to the Senate and confirmatory action by the Senate.

Mr. BACON. I was quite sure that was the opinion of the learned Senator.

Mr. SPOONER. The Senator knew that that was my opinion. Mr. BACON. Yes; but I wanted the Senator to state it. The Senator is too good a lawyer to think any other way.

Mr. SPOONER. I thank the Senator again. The Senator will convince me after a while. [Laughter.]

Mr. BACON. I know the Senator—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. SPOONER. Always, Mr. President.

Mr. BACON. I thought the Senator was doing himself an injustice, and that he was not candid with himself when, in what he was stating to the Senate, he implied that there was a doubt in his mind on that legal proposition.

Mr. SPOONER. I did not say that.

Mr. BACON. I was absolutely assured, in my confidence in the eminent ability and learning of the distinguished Senator from Wisconsin, that he had no such doubt, and I thought I was doing him a service in eliciting from him an explicit statement that he had none.

Mr. SPOONER. I thank the Senator again. [Laughter.] I did not intimate any doubt. I only said I had not yet learned of any such distinction.

Mr. BACON. The Senator said he did not think.

Mr. SPOONER. Nor have I any doubt now. There might, perhaps, be an ambassador, a special ambassador; perhaps the Congress might pass an act providing for a special or temporary ambassador to be sent to a court where there was already an ambassador provided, but he would have to be, I think, nominated to the Senate and confirmed by the Senate. I am not finding any fault at all with the Senator from Georgia in his interruption. I agree generally with what the Senator says on the subject of sending ambassadors, as a Congressional policy, to coronations, although I am in favor of paying, in every decent and proper way, respect and compliment and courtesy to foreign governments.

It was a very gracious thing for the President to send some one to Spain. There was never anything more gracious or more proper, because we have come out of a war with Spain, and it was disastrous and humiliating to Spain. If there were technical objections to it, I would not be disposed to make them. I do not know what Dr. Curry is called, and I do not know what this gentleman who goes to England is called. I am quite satisfied that whatever he may be called he is not an ambassador in the sense in which that word is used in the Constitution. The amendment offered by the Senator from Texas is very narrow.

Mr. BAILEY. Mr. President, I recognize that, and I was seeking what we have about obtained—an expression from the Senate. That expression seems so general in one direction that, as far as I am concerned, I am willing to withdraw the amendment.

Mr. SPOONER. I think the Senator is quite right to withdraw it. I wanted to say that the amendment only applies to the allowance to be made to the Army officer to be sent over there.

Mr. BAILEY. To the Army officer.

Mr. SPOONER. It is entirely proper, and it might be very useful, where there is to be a great massing of troops, to send an Army officer to report. He is the very man to report. In the same way, where there is to be an assembling of squadrons or of any great naval power, it is proper to detail a naval officer, who goes in a professional way, to observe and to report to the proper department; and I think that it is rather necessary, and certainly proper, to pay his expenses in the discharge of that duty.

Mr. BAILEY. Mr. President, the trouble with this amendment is that it is offered at the place where it was least desirable to offer it. If it had been offered to any of the other appropriation bills—to the diplomatic bill—we then could have raised the question of the power of the President to accredit this representative, which I should have been very much pleased to do. But in this particular instance and at this particular place it simply reaches the Army officers who are more subject to the control of the Executive than any other employees of the Government. I am myself so well satisfied with the general and practically unanimous expression from both sides of the Chamber, and I believe it will serve such a useful purpose in preventing a repetition of this mistaken policy that I am willing to withdraw the amendment.

Mr. ALLISON. Mr. President, before the amendment is withdrawn, I wish to say simply one word.

The PRESIDENT pro tempore. The amendment can only be withdrawn by unanimous consent, the yeas and nays having been ordered. Is there objection?

Mr. ALLISON. I hope unanimous consent will be given, but before it is given I desire to say a word.

The amendment is truly a very narrow one. It can only apply to the mileage, even if it would apply to the mileage of officers of the Army who might be ordered or detailed by the War Department for service at the time of the coronation.



Mr. BAILEY. Yet, if the Senator will excuse me, if I had made it any broader it would have been subject to a point of order.

Mr. ALLISON. I understand it would have been subject to a point of order. Therefore the Senator of course desired to move such an amendment as could be debated on the floor without being ruled out by a point of order.

The Senator seems to think that this matter would have been considered properly on the diplomatic appropriation bill and that in that case he would have had a better opportunity than now. I wish to say that when the diplomatic and consular bill came to the Senate from the House there was an appropriation in it which it was said was intended to be used in paying the expenses of whatever agents or persons might be sent to the coronation or be present on the occasion of those ceremonies. I took occasion, as chairman of the committee, to make inquiry of the Secretary of State upon that subject, and I have his letter, which is in the committee room, in which he states that that particular appropriation—which was the only appropriation that by any possibility could have been used for the purpose of paying the expenses of anyone in a civil capacity to the coronation ceremony—was not so intended, and the phraseology employed would not authorize its use for that purpose. Then the Secretary of State added in his letter that it was not the intent or purpose to have any portion of the expenses of the people accredited to London paid by the Government of the United States, and that no request would be made for an appropriation either directly or indirectly.

I assume, of course, that the President of the United States is quite familiar with the Constitution as respects the appointment of diplomatic and other officers. I think he would hardly make an appointment in absolute violation of the letter and the spirit of the Constitution itself. A President after a few months' service has a large experience in the matter of selecting officers, and generally he has it a few days after he is inaugurated as President. So I assume that he is not violating that instrument, and that he has not appointed ambassadors or similar officers in this particular case, as such appointment would be a violation of the particular provision quoted by the Senator from Wisconsin [Mr. SPOONER].

Mr. SPOONER. And he is reminded of it by the debates here.

Mr. ALLISON. And, as the Senator from Wisconsin very properly adds, he is frequently reminded of what the Constitution is by the debates in this body, and especially as they appear from time to time on subjects now occurring.

The PRESIDENT pro tempore. Is there objection to the withdrawal of the amendment?

Mr. BAILEY. Mr. President, if that is the view, if there is any doubt about the President's right to appoint these officers, and if at the time I am about to withdraw it and have no vote on it it is suggested that the President has the power, then I am not going to withdraw the amendment.

Mr. ALLISON. What power?

Mr. BAILEY. The power to appoint the people who have been accredited as the representatives of this Government to attend the coronations of these hereditary monarchs.

Mr. ALLISON. I certainly make no such intimation. On the contrary, I suppose the President would not do it or has not done it.

Mr. BAILEY. I understood the Senator from Iowa to say that the President was doubtless familiar with the Constitution, and he assumed that he knew exactly what his power was in respect to such appointments. That is precisely what I am not willing to assume, because I am not willing to assume that the President in the face of knowing he had no authority to make such appointments would have made them. But he having made them, I must assume that he thought he had the authority to do it. Precisely what I am certain about is that he had no authority to accredit the representatives to these foreign governments. My whole willingness to withdraw the amendment was upon the theory that there was no difference practically in the Senate about it, and I had no desire to force a vote in respect to it. But if there is anybody here who believes that the President of the United States has the power to select representatives and accredit them to foreign governments, even on special occasions, then, while this is a narrow way of reaching it, it is still the broadest way open to us, and I shall ask for the yeas and nays on agreeing to the amendment.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from Texas [Mr. BAILEY].

The Secretary proceeded to call the roll.

Mr. HANNA (when his name was called). I have a general pair with the senior Senator from Utah [Mr. RAWLINS]. I will transfer my pair to the Senator from Rhode Island [Mr. ALDRICH], and vote "nay."

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. CLAY], whom I do not see in the Chamber. I will transfer my pair to the senior Senator from New Jersey [Mr. KEAN], and vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. Were he present, I should vote "nay."

Mr. BERRY. If agreeable to the Senator from North Dakota, we can transfer our pairs. I am paired with the Senator from Maryland [Mr. McCOMAS]. We can then both vote.

Mr. McCUMBER. I will so transfer my pair, Mr. President. I vote "nay."

Mr. BERRY (when Mr. MORGAN's name was called). The Senator from Alabama [Mr. MORGAN] is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. SCOTT (when his name was called). I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO], but not regarding this as a political question, I shall take the privilege of voting. I think the Senator from Florida will justify me in voting. I vote "nay."

Mr. VEST (when his name was called). I am paired generally with the Senator from Minnesota [Mr. NELSON], who is detained from the Chamber by sickness. I withhold my vote. I should vote "yea" if he were present.

Mr. HOAR (after having voted in the negative). I voted inadvertently, in the absence of the Senator from Alabama [Mr. PETTUS]. If the Senator from Missouri will transfer his pair to the Senator from Alabama [Mr. PETTUS], with whom I am paired, then he and I can both vote.

Mr. VEST. Very well.

Mr. HOAR. I voted "nay."

Mr. VEST. I vote "yea."

Mr. WARREN (when his name was called). I am paired with the senior Senator from Washington [Mr. TURNER], but I will transfer my pair to the Senator from Connecticut [Mr. HAWLEY], and vote "nay."

The roll call was concluded.

Mr. CULLOM. I am paired with the junior Senator from Virginia [Mr. MARTIN], who does not seem to be present. I will state that if I were at liberty to vote, I believe I would vote "nay."

Mr. BLACKBURN. Let me suggest to the Senator from Illinois that we can arrange a transfer so that we may both vote.

Mr. CULLOM. Very well.

Mr. BLACKBURN. I have a general pair with the Senator from Michigan [Mr. McMILLAN], who is necessarily absent. Let the Senator from Illinois and I transfer our pairs.

Mr. CULLOM. That is entirely agreeable to me. I vote "nay."

Mr. BLACKBURN. I vote "yea."

Mr. PATTERSON (after having voted in the affirmative). I should like to ask whether the Senator from South Dakota [Mr. KITTREDGE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. PATTERSON. Then I will transfer my pair with the Senator from South Dakota [Mr. KITTREDGE], to the Senator from Idaho [Mr. DUBOIS], and let my vote stand.

Mr. BEVERIDGE. I have a general pair with the senior Senator from Montana [Mr. CLARK]. I will transfer that pair to the junior Senator from Utah [Mr. KEARNS], and vote "nay."

Mr. MONEY. I desire to announce that the senior Senator from Louisiana [Mr. McENERY], is paired with the junior Senator from New York [Mr. DEPEW]. If both Senators were present the senior Senator from Louisiana would vote "yea." I also desire to state that the junior Senator from Louisiana [Mr. FOSTER], is absent on account of sickness.

Mr. BAILEY. I wish to announce that my colleague, the senior Senator from Texas [Mr. CULBERSON], is unavoidably absent from the Senate to-day, and if he were present he would vote "yea." He has a general pair with the Senator from Wisconsin [Mr. QUARLES].

Mr. PATTERSON. I am requested to state that the Senator from South Carolina [Mr. TILLMAN] is paired with the Senator from Vermont [Mr. DILLINGHAM].

Mr. TELLER (after having voted in the affirmative). The senior Senator from Connecticut [Mr. HAWLEY] is not present. I do not know whether he is paired or not. I told him that on any subject that seemed to assume a political character I would pair with him or secure him a pair. I do not consider this to be a political question, but some Senators seem to so regard it. I should like to know if the Senator from Connecticut is paired with anybody. I understand that the senior Senator from Utah [Mr. RAWLINS] is not paired, and, therefore, we will pair the Senator from Connecticut [Mr. HAWLEY] with the Senator from Utah [Mr. RAWLINS], and I will let my vote stand.

The result was announced—yeas 15, nays 26; as follows:

## YEAS—15.

Bacon,  
Bailey,  
Bate,  
Berry,

Blackburn,  
Carmack,  
Cockrell,  
Jones, Ark.

McLaurin, Miss.  
Mallory,  
Money,  
Patterson,

Taliaferro  
Teller,  
Vest.

## NAYS—26.

Allison,  
Bard,  
Beveridge,  
Burrows,  
Cullom,  
Dolliver,  
Fairbanks,

Foraker,  
Foster, Wash.  
Frye,  
Gallinger,  
Gamble,  
Hale,  
Hanna,

Hoar,  
Lodge,  
McCumber,  
McLaurin, S. C.  
Millard,  
Mitchell,  
Proctor,

Scott,  
Simon,  
Spooner,  
Stewart,  
Warren.

## NOT VOTING—47.

Aldrich,  
Burnham,  
Burton,  
Clapp,  
Clark, Mont.  
Clark, Wyo.  
Clay,  
Culberson,  
Daniel,  
Deboe,  
Depew,  
Dietrich,

Dillingham,  
Dryden,  
Dubois,  
Elkins,  
Foster, La.  
Gibson,  
Hansbrough,  
Harris,  
Hawley,  
Heitfeld,  
Jones, Nev.  
Kean,

Kearns,  
Kittredge,  
McComas,  
McEnery,  
McMillan,  
Martin,  
Mason,  
Morgan,  
Nelson,  
Penrose,  
Perkins,  
Petkus,

Platt, Conn.  
Platt, N. Y.  
Pritchard,  
Quay,  
Rawlins,  
Simmons,  
Tillman,  
Turner,  
Wellington,  
Wetmore.

The PRESIDENT pro tempore. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,  
Bacon,  
Bailey,  
Bard,  
Bate,  
Berry,  
Blackburn,  
Burrows,  
Clark, Wyo.,  
Clay,  
Cockrell,

Cullom,  
Deboe,  
Dolliver,  
Fairbanks,  
Foraker,  
Foster, Wash.,  
Frye,  
Gallinger,  
Gamble,  
Hale,  
Hanna,

Hoar,  
Jones, Ark.,  
Lodge,  
McLaurin, Miss.,  
Mallory,  
Millard,  
Mitchell,  
Patterson,  
Proctor,  
Quarles,  
Rawlins,

Scott,  
Simon,  
Spooner,  
Stewart,  
Taliaferro,  
Toller,  
Vest,  
Warren.

The PRESIDENT pro tempore. In answer to the roll call, 41 Senators have responded. There is not a quorum present.

Mr. HALE. If Senators be sent for I think there is a quorum about the building.

Mr. MASON, Mr. TURNER, Mr. CARMACK, and Mr. MONEY entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-five Senators have responded to their names. There is a quorum present.

Mr. BAILEY. Mr. President, in order to avoid any further delay on this bill, and to raise the question in a more proper and fuller form, I will withdraw the amendment and offer a resolution touching the subject, which I will ask to have printed.

Mr. BACON. Let it be read.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent to withdraw his amendment on which the vote has just been had. Is there objection? The Chair hears none. The Senator from Texas offers a resolution, which will be read.

The Secretary read the resolution, as follows:

*Resolved by the Senate, That it is contrary to the policy of the United States to accredit to any foreign government any ambassador, minister, or other diplomatic officer or agent to especially represent the United States at the coronation of any hereditary prince or potentate.*

2. That no power exists in the President of the United States to appoint any ambassador, minister, or other diplomatic officer or agent and accredit him as the representative of the United States to any foreign government except by and with the advice and consent of the Senate, as prescribed in section 2, Article II, of the Constitution of the United States.

Mr. BAILEY. I ask that the resolution be printed. Possibly we had better refer it under the practice, or it might just lie on the table, if that is permissible.

The PRESIDENT pro tempore. To lie on the table to be taken up at any time would require unanimous consent. The Senator from Texas asks unanimous consent that the same be printed and lie on the table subject to his call.

Mr. HOAR. I should hardly think that ought to be granted in the present state of the business of the session.

Mr. BAILEY. I will say to the Senator from Massachusetts there is no probability that I will attempt to interfere with the business of the Senate.

Mr. HOAR. Of course if the Senator desires to call it up for the mere purpose of addressing the Senate upon it, according to the usage of the Senate, that would be accorded at any convenient time; but the resolution goes a good deal further than the amendment went, and to have a vote on it without discussion or to agree that this particular subject shall take precedence of all the other business of the Senate is what I objected to.

Mr. BAILEY. I have no desire that it shall even interrupt the usual and necessary business of the Senate, but I think it proper that at some suitable time the matter shall be discussed and decided by the Senate.

Mr. HOAR. May I suggest to the Senator that having introduced the resolution, as he has done, it goes over until to-morrow morning in the usual way, and after the routine morning business it will come up and it will be in his power either to speak to it at that time or indicate what other disposition he desires?

Mr. BAILEY. That is entirely satisfactory to me, Mr. President. I want to get it out of the way of this bill immediately.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rules.

Are there further amendments? If not, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 5254) granting an increase of pension to Enos G. Budd;

A bill (H. R. 5870) granting an increase of pension to Oscar W. Lowery;

A bill (H. R. 9037) to allow the commutation of homestead entries in certain cases; and

A bill (H. R. 12148) granting an increase of pension to Frederick O. Clark.

The message also announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

A bill (S. 2036) granting an increase of pension to Etta Adair Anderson;

A bill (S. 2336) granting a pension to Rebecca Coppinger;

A bill (S. 2951) granting an increase of pension to Maria J. Wilson;

A bill (S. 3992) granting an increase of pension to David M. McKnight; and

A bill (S. 4506) granting an increase of pension to Ann E. Collier.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13996) making appropriations for the diplomatic and consular service in the Republic of Cuba, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITT, Mr. ADAMS, and Mr. DINSMORE managers of the conference on the part of the House.

The message also announced that the House insists upon its amendment to the bill (S. 1037) granting an increase of pension to Helen A. B. Du Barry disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SULLOWAY, Mr. GIBSON, and Mr. LINDSAY managers of the conference on the part of the House.

The message further announced that the House insists upon its amendment to the bill (S. 2975) granting an increase of pension to Levi Hatchett, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. DARRAGH, and Mr. KLEBERG managers of the conference on the part of the House.

The message also announced that the House had passed the concurrent resolution of the Senate to print 3,200 additional copies of the bulletin entitled "Irrigation Investigations in California, Bulletin No. 100, United States Department of Agriculture, Office of Experiment Stations, 1901."

The message further announced that the House had passed the concurrent resolution of the Senate to print and bind in cloth 6,000 copies of the Revised Course of Study for Indian Schools.

The message also announced that the House had passed the concurrent resolution of the Senate to print and bind in cloth 4,000 copies of the bulletins of the Bureau of Rolls and Library of the Department of State, namely, Calendars of the correspondence of Thomas Jefferson, James Madison, and James Monroe.

The message further announced that the House had passed the concurrent resolution of the Senate to print from stereotype plates and to bind 200 copies each of volume 10 and volumes 20 to 31 inclusive of Land Decisions, etc.

The message also announced that the House had passed a concurrent resolution providing for the printing of 6,000 additional copies of the Report of the Director of the Mint on the Production of the Precious Metals for the year 1900, and also 8,000 additional copies of the report of the Director of the Mint covering the operations of the mints and assay offices of the United States for the year ended June 30, 1901; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print 1,000 copies of the Preliminary Description of the Geological and Water Resources of the Southern Half of the Black Hills and Adjoining Regions in South Dakota and Wyoming, recently prepared by Nelson Horatio Darton; in which it requested the concurrence of the Senate.



The message also announced that the House had passed a concurrent resolution to publish and bind 6,000 copies of the State papers and all correspondence bearing upon the purchase of the Territory of Louisiana by the United States, including the treaty of purchase, etc.; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print 3,500 additional copies of the Annual Report of the Commission to the Five Civilized Tribes to the Secretary of the Interior for the year ended June 30, 1901, etc.; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution to print 25,000 copies of so much of the First Assistant Postmaster-General's Report for 1900-1901 as relates to rural free-delivery service, etc.; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution:

- A bill (S. 182) granting a pension to Mary F. Zollinger;
- A bill (S. 238) granting an increase of pension to De Witt C. Bennett;
- A bill (S. 500) granting a pension to Samuel S. Beaver;
- A bill (S. 1593) granting an increase of pension to Eben C. Winslow;
- A bill (S. 2347) granting an increase of pension to Alfred M. Wheeler;
- A bill (S. 2461) granting an increase of pension to George McDowell;
- A bill (S. 2632) to amend an act entitled "An act granting to the Clear Water Valley Railroad Company a right of way through the Nez Percés Indian land in Idaho;
- A bill (S. 2755) granting a pension to Ruth H. Ferguson;
- A bill (S. 3279) granting a pension to John Coolen;
- A bill (S. 3331) granting a pension to Ada V. Park;
- A bill (S. 3999) granting an increase of pension to Emma S. Hanna;
- A bill (S. 4004) granting an increase of pension to Thomas L. Nelson;
- A bill (S. 4238) granting an increase of pension to Philo F. Englesby;
- A bill (S. 4256) granting an increase of pension to Henry W. Edens;
- A bill (S. 4293) granting an increase of pension to Elizabeth C. Vincent;
- A bill (S. 4455) granting an increase of pension to Hallowell Goddard;
- A bill (S. 4865) granting an increase of pension to Joseph D. Hazzard;
- A bill (S. 4979) granting an increase of pension to Paul Fuchs;
- A bill (S. 5294) granting an increase of pension to William F. Horn;
- A bill (S. 5337) granting an increase of pension to Marietta L. Adams; and
- A joint resolution (S. R. 74) relating to publications of the Geological Survey.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

- A bill (H. R. 1695) granting an increase of pension to Christopher C. Perry;
- A bill (H. R. 1715) granting an increase of pension to Henry P. Hudson, formerly Henry P. Dow;
- A bill (H. R. 1741) granting an increase of pension to Griffith Evans;
- A bill (H. R. 2199) to remove the charge of desertion from the military record of Jonas Albert;
- A bill (H. R. 2430) granting a pension to Lizana D. Streeter;
- A bill (H. R. 2563) granting an increase of pension to Robert R. Strong;
- A bill (H. R. 2623) granting an increase of pension to John Smith;
- A bill (H. R. 2787) granting an increase of pension to Cornelia S. Ribble;
- A bill (H. R. 3517) granting an increase of pension to Stephen Harris;
- A bill (H. R. 4262) granting an increase of pension to Thomas P. May;
- A bill (H. R. 5321) granting a pension to Lillie May Fifield;
- A bill (H. R. 5887) granting an increase of pension to Morris M. Comstock;
- A bill (H. R. 6030) granting an increase of pension to William G. De Garis;
- A bill (H. R. 7021) granting an increase of pension to Henry Forcht;
- A bill (H. R. 7040) granting an increase of pension to Benjamin Grinnell;
- A bill (H. R. 7150) granting a pension to Garrett Stanley;

- A bill (H. R. 7319) granting an increase of pension to Frances H. Anthony;
- A bill (H. R. 7353) granting a pension to Nancy M. Williams;
- A bill (H. R. 7382) granting a pension to Jacob Mock;
- A bill (H. R. 7401) granting an increase of pension to William Brown;
- A bill (H. R. 7679) granting an increase of pension to Franklin Snyder;
- A bill (H. R. 7778) granting a pension to Peter Buckley;
- A bill (H. R. 7906) granting a pension to Martha G. Young;
- A bill (H. R. 8401) granting an increase of pension to Henry E. Murphy;
- A bill (H. R. 8414) granting an increase of pension to George Atkinson;
- A bill (H. R. 8487) granting an increase of pension to John M. Crist;
- A bill (H. R. 8924) granting an increase of pension to George W. Mathews;
- A bill (H. R. 9437) granting an increase of pension to Elias A. Calkins;
- A bill (H. R. 10201) granting an increase of pension to Otis R. Freeman;
- A bill (H. R. 10752) granting a pension to Harriet T. Milburn;
- A bill (H. R. 11196) granting a pension to Abbie Bourke;
- A bill (H. R. 11395) granting a pension to Mary Pitman;
- A bill (H. R. 11495) granting a pension to Mary A. Bailey;
- A bill (H. R. 11858) for the relief of William E. Anderson;
- A bill (H. R. 11921) granting an increase of pension to George W. De Graw;
- A bill (H. R. 12047) granting an increase of pension to Jackson L. Wilson;
- A bill (H. R. 12279) granting a pension to Nancy M. Gunsally;
- A bill (H. R. 12377) granting a pension to Enoch Voyles;
- A bill (H. R. 12428) granting an increase of pension to Elizabeth G. Getty;
- A bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States;
- A bill (H. R. 12562) granting an increase of pension to William H. Temple;
- A bill (H. R. 12777) granting an increase of pension to George H. Young;
- A bill (H. R. 12779) granting an increase of pension to George Chamberlin;
- A bill (H. R. 12800) granting an increase of pension to Horatio N. Whitbeck;
- A bill (H. R. 12983) granting an increase of pension to Eleanor Emerson;
- A bill (H. R. 13081) granting an increase of pension to Anthony J. Railey;
- A bill (H. R. 13174) granting an increase of pension to Ransford T. Chase;
- A bill (H. R. 13266) granting an increase of pension to Elbert N. Remson;
- A bill (H. R. 13332) granting an increase of pension to William G. Cantley;
- A bill (H. R. 13355) granting an increase of pension to William H. Snyder;
- A bill (H. R. 13378) granting an increase of pension to Edwin Beckwith;
- A bill (H. R. 13395) granting a pension to Arthur J. Bushnell;
- A bill (H. R. 13398) granting an increase of pension to George G. Sabin;
- A bill (H. R. 13423) granting an increase of pension to Elizabeth Wall;
- A bill (H. R. 13467) granting a pension to Joseph H. Woodruff;
- A bill (H. R. 13529) granting an increase of pension to Francis C. Baker;
- A bill (H. R. 13597) granting an increase of pension to Edmund B. Appleton;
- A bill (H. R. 13646) granting an increase of pension to John G. Heiser;
- A bill (H. R. 13807) granting a pension to Jeremiah Horan;
- A bill (H. R. 13891) granting a pension to Hiram A. Sheldon;
- A bill (H. R. 14079) granting an increase of pension to John Miller;
- A bill (H. R. 14099) granting a pension to Samantha B. Van Brocklin; and
- A bill (H. R. 14118) granting a pension to Mary C. Bickerstaff.

#### CIVIL GOVERNMENT FOR THE PHILIPPINE ISLANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. STEWART. I desire to give notice that I should like to speak on the pending bill on Tuesday morning immediately after the morning business.

The PRESIDENT pro tempore. Notice has already been given that on Tuesday morning, immediately after the routine business, the Agricultural appropriation bill will be called up.

Mr. STEWART. I will say Wednesday morning, then.

Mr. GALLINGER. There are twelve or fifteen pension bills on the Calendar. I ask unanimous consent that they be now considered.

Mr. LODGE. What has become of the unfinished business?

The PRESIDENT pro tempore. It is before the Senate.

Mr. MITCHELL. Will the Senator from New Hampshire yield to me?

Mr. GALLINGER. I have not the floor. I am not entitled to the floor.

Mr. LODGE. I do not know whether the Senator from Nevada [Mr. STEWART] desires to proceed at this time or not.

Mr. STEWART. I think the hour is rather late.

Mr. LODGE. Very well.

Mr. GALLINGER. I renew my request.

Mr. STEWART. I will say in regard to my notice that if the Agricultural appropriation bill is disposed of speedily on Tuesday morning, I should like to speak on Tuesday.

Mr. LODGE. If no Senator is prepared to go on this afternoon with the Philippine bill, I have no desire to press it at this late hour and in a thin Senate, but I ask the unanimous consent of the Senate that while this bill is pending the Senate on Wednesday and thereafter shall meet at 11 o'clock.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that on Wednesday and thereafter, until the final disposition of the pending bill, the Senate shall meet at 11 o'clock. Is there objection?

Mr. RAWLINS. I object to that.

Mr. LODGE. Then I give notice that on Tuesday next I will make the motion that on Wednesday and thereafter the Senate shall meet at 11 o'clock until the bill is concluded.

#### CONSIDERATION OF PENSION BILLS, ETC.

Mr. GALLINGER. Mr. President, I ask unanimous consent that we now proceed to the consideration of unobjected pension bills and bills to correct the record of soldiers. There are only a few on the Calendar.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the pending business be temporarily laid aside and that the Senate consider pension bills and bills to correct soldiers' records. Is there objection? The Chair hears none, and it is so ordered.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 9th instant approved and signed the act (S. 5105) fixing the terms of the circuit and district courts in and for the district of South Dakota, and for other purposes.

#### ELECTION OF UNITED STATES SENATORS.

Mr. MITCHELL. Mr. President, on yesterday, when the resolution of the Senator from Arkansas [Mr. BERRY] was under discussion, looking to the discharge of the Committee on Privileges and Elections from the further consideration of the House amendment of the Constitution, relating to the election of Senators by the people, I inquired of the Senator from Ohio [Mr. FORAKER] whether he did not believe that if that amendment were adopted Congress would have the power to prescribe the qualifications of electors for Senators. Subsequently the Senator from Massachusetts [Mr. HOAR] inquired of me if I believed my own question, and I answered "Yes," that I did.

Mr. HOAR. The Senator's inquiry was directed to another Senator.

Mr. MITCHELL. At the time I did not have the House amendment before me, and I was not aware of the fact that in that amendment there is a clause prescribing the qualifications of electors. Had I known that, of course, I should not have made the answer that I did. The attention of the Senate was subsequently called by the Senator from Texas to the fact that the following clause is a part of section 3 of the House joint resolution, which is really a copy of the clause in the Constitution of the United States relating to the election of Representatives:

And the electors shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

As a matter of course no one would claim that if that clause were adopted the Congress of the United States would have any power to prescribe the qualifications of electors. My mistake arose from the fact that I was not aware that that clause was in the joint resolution passed by the House of Representatives.

#### FRIEDRICH WEIMAR.

The PRESIDENT pro tempore. The first pension bill on the Calendar will be announced.

The bill (H. R. 6172) granting an increase of pension to Friedrich Weimar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Friedrich Weimar, late of Company H, Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CHRISTIAN CHRISTIANSON.

The bill (H. R. 7228) granting an increase of pension to Christian Christianson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Christian Christianson, late of Company H, First Regiment Wisconsin Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EDWIN M. DUNNING.

The bill (H. R. 7229) granting an increase of pension to Edwin M. Dunning was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin M. Dunning, late of Company D, Thirty-second Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LORENZO WEEKS.

The bill (H. R. 8238) granting an increase of pension to Lorenzo Weeks was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo Weeks, late of Company I, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DANIEL RIDINGER.

The bill (S. 2375) granting an increase of pension to Daniel Ridinger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "late," to strike out the name "Ridinger" and insert "Ridinger;" so as to make the bill read:

*Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Ridinger, late of Company A, Ninety-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.*

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Daniel Ridinger."

#### JOSHUA WEAVER.

The bill (S. 2653) granting an increase of pension to Joshua Weaver was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua Weaver, late of Company D, Thirty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ELJEROY C. CURTIS.

The bill (S. 5047) granting a pension to E. C. Curtis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

*That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eljeroy C. Curtis, late of Battery B, Fourth Regiment United States Artillery, and pay him a pension at the rate of \$12 per month.*

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Eljeroy C. Curtis."



DANIEL F. THOMPSON.

The bill (H. R. 1724) granting an increase of pension to Daniel F. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel F. Thompson, late of Company B, Forty-eighth Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. BARRY.

The bill (H. R. 9544) granting an increase of pension to George W. Barry was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Barry, late of Company H, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM KUNSELMAN.

The bill (H. R. 11170) granting an increase of pension to William Kunselman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kunselman, late of Company E, Ninth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES BLITZ.

The bill (H. R. 9606) granting a pension to Charles Blitz was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Infantry," to insert "Volunteer;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Blitz, late of Company C, Sixty-seventh Regiment New York National Guard Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN G. CAMPBELL.

The bill (H. R. 5865) granting an increase of pension to John C. Campbell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John C. Campbell, late colonel Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KATE W. MILWARD.

The bill (H. R. 10488) granting an increase of pension to Kate W. Milward was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kate W. Milward, widow of Hubbard K. Milward, late lieutenant-colonel Eighteenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY S. DOWNING.

The bill (H. R. 6625) granting an increase of pension to Mary T. Downing was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Mary," to strike out the letter "T" and insert the letter "S;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary S. Downing, widow of Robert L. Downing, late of Company E, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mary S. Downing."

MARIETTA ELIZABETH STANTON.

The bill (H. R. 13019) granting an increase of pension to Marietta Elizabeth Stanton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marietta Elizabeth Stanton, widow of Thaddeus H. Stanton, late brigadier-general, United States Army, and to pay her a pension of \$50 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES F. SMITH.

The bill (H. R. 12978) granting an increase of pension to Charles F. Smith, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles F. Smith, late second lieutenant Company K, Fifty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOLOMON P. BROCKWAY.

The bill (H. R. 10545) granting an increase of pension to Solomon P. Brockway was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Solomon P. Brockway, late major Ninth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ABBY T. DANIELS.

The bill (H. R. 10821) granting an increase of pension to Abby T. Daniels was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abby T. Daniels, widow of John C. Daniels, late of Company I, Twenty-sixth Regiment Connecticut Volunteer Infantry, and to pay her a pension of \$24 per month in lieu of that she is now receiving: *Provided, however,* That in the case of the death of the helpless and dependent child, Abbie J. Daniels, on whose account the pension of Abby T. Daniels is increased, the pension of said Abby T. Daniels shall continue only at the rate of \$12 per month from and after the date of death of said helpless child.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. GREENHALGH.

The bill (H. R. 13036) granting an increase of pension to John B. Greenhalgh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Greenhalgh, late of Company A, Seventh Regiment Massachusetts Volunteer Infantry, and Company D, Sixtieth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNAH C. CHASE.

The bill (H. R. 8341) granting a pension to Hannah C. Chase was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hannah C. Chase, widow of William T. Chase, late chaplain Eighty-first Regiment United States Colored Volunteer Infantry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE K. THOMPSON.

The bill (H. R. 4451) granting an increase of pension to George K. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George K. Thompson, late a landsman, U. S. S. *Connecticut*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## WILLIAM C. HICKOX.

The bill (H. R. 4103) granting a pension to William C. Hickox was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Hickox, late of Company G, One hundred and fifty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

## HUGH R. RUTLEDGE.

The bill (S. 4765) granting an increase of pension to H. R. Rutledge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hugh R. Rutledge, late assistant surgeon, United States Volunteers, war with Mexico, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Hugh R. Rutledge."

## JAMES D. LAFFERTY.

The bill (H. R. 11133) granting an increase of pension to James D. Lafferty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James D. Lafferty, late of Company K, Fifty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ETTA ADAIR ANDERSON.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2036) granting an increase of pension to Etta Adair Anderson; which was, in line 8, before the word "dollars," to strike out "twelve" and insert "sixteen."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

## EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, May 12, 1902, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate May 10, 1902.*

## PROMOTION IN THE MARINE-HOSPITAL SERVICE.

P. A. Surg. Julius O. Cobb, of South Carolina, to be a surgeon in the Marine-Hospital Service of the United States, to rank as such from April 20, 1902, to succeed Joseph J. Kinyoun, resigned.

## PROMOTIONS IN THE NAVY.

Commander Edwin C. Pendleton, to be a captain in the Navy from the 21st day of January, 1902, vice Capt. Ralph Aston, retired.

Lieut. John A. Dougherty, to be a lieutenant-commander in the Navy from the 21st day of January, 1902, vice Lieut. Commander William E. Sewell, promoted.

Lieut. (junior grade) Emory Winship, to be a lieutenant in the Navy from the 21st day of January, 1902, vice Lieut. John A. Dougherty, promoted.

Lieut. James M. Pickrell, to be a lieutenant-commander in the Navy from the 5th day of April, 1902 (subject to the examinations required by law), vice Lieut. Commander William H. Schuetze, deceased.

Lieut. (Junior Grade) George L. P. Stone, to be a lieutenant in the Navy from the 5th day of April, 1902, vice Lieut. James M. Pickrell, promoted.

Commander James M. Miller, to be captain in the Navy from the 29th day of April, 1902, vice Capt. Charles H. Rockwell, retired.

## POSTMASTERS.

James C. Tyrrell, to be postmaster at Grass Valley, in the county of Nevada and State of California, in place of William George. Incumbent's commission expires May 28, 1902.

Willie E. Harp, to be postmaster at Jackson, in the county of Butts and State of Georgia, in place of Willie E. Harp. Incumbent's commission expired January 20, 1902.

William H. Harrison, to be postmaster at Flemingsburg, in the county of Fleming and State of Kentucky, in place of William H. Harrison. Incumbent's commission expired May 4, 1902.

James B. Burnett, to be postmaster at Baton Rouge, in the parish of East Baton Rouge and State of Louisiana, in place of Alexander Smith. Incumbent's commission expired February 11, 1902.

Edward Brown, to be postmaster at Thomaston, in the county of Knox and State of Maine, in place of Edward Brown. Incumbent's commission expires May 24, 1902.

Loring W. Morgan, to be postmaster at Fullerton, in the county of Nance and State of Nebraska, in place of Loring W. Morgan. Incumbent's commission expires May 16, 1902.

Frederic B. Taylor, to be postmaster at South Orange, in the county of Essex and State of New Jersey, in place of Frederic B. Taylor. Incumbent's commission expires May 19, 1902.

Albert F. Hill, to be postmaster at Cando, in the county of Towner and State of North Dakota, in place of Albert F. Hill. Incumbent's commission expired February 25, 1902.

George L. Fish, to be postmaster at Woonsocket, in the county of Sanborn and State of South Dakota, in place of George L. Fish. Incumbent's commission expired May 4, 1902.

Ansel T. Simmons, to be postmaster at Geneva, in the county of Ashtabula and State of Ohio, in place of Ansel T. Simmons. Incumbent's commission expired May 5, 1902.

Fielding C. Elkin, to be postmaster at Lexington, in the county of Fayette and State of Kentucky, in place of Fielding C. Elkin. Incumbent's commission expires May 10, 1902.

Thomas J. Helm, to be postmaster at Rome, in the county of Floyd and State of Georgia, in place of Joseph J. Hamilton, deceased.

Charles E. Carman, to be postmaster at Aiken, in the county of Aiken and State of South Carolina, in the place of Benjamin P. Chatfield, deceased.

## CONFIRMATION.

*Executive nomination confirmed by the Senate May 10, 1902.*

## COMMISSIONER OF PENSIONS.

Eugene F. Ware, of Kansas, to be Commissioner of Pensions.

## HOUSE OF REPRESENTATIVES.

SATURDAY, May 10, 1902.

The House was called to order at 12 o'clock m. by Hon. ALEXANDER McDOWELL, Clerk, who read the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,  
Washington, D. C., May 10, 1902.

I hereby designate Hon. JOHN DALZELL, of Pennsylvania, to preside over the House this day.

D. B. HENDERSON, Speaker.

Mr. DALZELL thereupon assumed the chair as Speaker pro tempore.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

## BARK HOMEWARD BOUND.

Mr. McLACHLAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4992.

The Clerk read as follows:

A bill (S. 4992) to provide an American register for the bark Homeward Bound.

*Be it enacted, etc.,* That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built bark Homeward Bound, owned by George F. Ellis, a citizen of the United States, and repaired by him, to be registered as a vessel of the United States.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the words "Homeward Bound," and insert in lieu thereof the words "Otto Gildemeister;" after the word "States," in the seventh line of the bill, insert the following: "And give the said bark the name of Homeward Bound: *Provided, however,* That such register shall not entitle or authorize said bark to engage in the coastwise trade of the United States, nor shall said bark receive or be entitled to receive any subsidy, bounty, or aid of any kind that may hereafter be granted to American vessels."

The SPEAKER pro tempore. Is there objection?

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman what there is about this that it can not be registered under the general law.



Mr. GROSVENOR. This bill, Mr. Speaker, was introduced in the Senate, passed by the Senate, and came to the Committee on the Merchant Marine and Fisheries. Quite an investigation took place in regard to it. It was under a German register. The vessel was wrecked, and brought into the port of San Francisco. It was owned by the captain. He has expended a large sum of money in its repair. There are various reports as to the amount of it; but it seemed so large that failure to get his ship recognized in some way so that he could borrow money upon it he claims would be ruin to him. The committee was not in favor of giving to him an American register without conditions, and so the terms which are put into this bill were imposed. Will the Clerk read the conditions at the end of the bill?

The Clerk read as follows:

*Provided, however,* That such register shall not entitle or authorize said bark to engage in the coastwise trade of the United States, nor shall said bark receive or be entitled to receive any subsidy, bounty, or aid of any kind that may hereafter be granted to American vessels.

Mr. GROSVENOR. So the effect of it is to give an American register to the ship, but deprives it of the beneficial results of our navigation laws. The captain thought if this was done he could borrow money on his ship; and as a concession to his condition the committee made a favorable report on the bill.

Mr. PAYNE. As I understand, no repairs have yet been made.

Mr. McLACHLAN. About \$75,000 worth of repairs were made.

Mr. PAYNE. Have already been made?

Mr. McLACHLAN. Have already been made.

Mr. PAYNE. What does he want to borrow the money for if he has done the repairs?

Mr. GROSVENOR. I do not indorse the \$75,000 as having been spent for the repairs.

Mr. McLACHLAN. The captain is here, and has expended about \$75,000.

Mr. GROSVENOR. It is thought he could get credit in some way. I do not know how. Gentlemen from San Francisco have urged us to allow this bill to pass, among those being Mr. Scott, of the Union Iron Works, who seems to have taken a good deal of interest in behalf of this captain.

The SPEAKER pro tempore. Is there objection?

Mr. RICHARDSON of Tennessee. I object.

Mr. GAINES of Tennessee. Mr. Speaker—

The SPEAKER pro tempore. Objection is made.

Mr. GAINES of Tennessee. I did not object. I only want to know a little about the matter.

The SPEAKER pro tempore. Objection is made by the gentleman from Tennessee [Mr. RICHARDSON].

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1172) granting an increase of pension to Catharine F. Edmunds, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. BURTON, and Mr. GIBSON as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment a bill of the following title:

H. R. 4393. An act reserving from the public lands in the State of Oregon, as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, etc.

The message also announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5587. An act for the relief of Anna Eliza Isabella Von Hemert;

S. 5467. An act for the relief of William Persons;

S. 5434. An act to authorize the city of Little Falls, Minn., to construct a wagon and foot bridge across the Mississippi River within the limits of said city; and

S. R. 87. Joint resolution to permit steam railroads in the District of Columbia to occupy additional parts of streets in order to accommodate the traveling public attending the encampment of the Grand Army of the Republic in October, 1902.

#### SUBPORT OF ENTRY AT PORT ARTHUR, TEX.

Mr. COOPER of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3123) to make Port Arthur a subport of entry and delivery in the customs district of Galveston.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That Port Arthur, in the State of Texas, shall be, and is hereby, made a subport of entry and delivery in the customs district of Galveston, and a customs officer or such other officers shall be stationed at such subport with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services and receive such compensation as in the judgment of the Secretary of the Treasury the exigencies of commerce may require.

The SPEAKER pro tempore. Is there objection?

Mr. BREAZEALE. Mr. Speaker, I would like to ask the gentleman from Texas if my colleague [Mr. BROUSSARD], who is not present, has any interest in this bill?

Mr. COOPER of Texas. It does not affect his district at all. It is in the district of Galveston.

Mr. BREAZEALE. Then I have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COOPER of Texas, a motion to reconsider the last vote was laid on the table.

#### CLEARWATER VALLEY RAILROAD COMPANY.

Mr. TONGUE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2632) to amend an act entitled "An act granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian land in Idaho."

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 5 of an act approved February 28, 1899, entitled "An act granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian lands in Idaho," be, and the same is hereby, amended so that the time for constructing said railroad through the Nez Perces Indian Reservation in the State of Idaho, and also through the lands formerly embraced within said reservation but now allotted to individual members of the Nez Perces tribe of Indians, shall be extended to the 28th day of February, 1905.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. TONGUE, a motion to reconsider the last vote was laid on the table.

#### MAJOR-GENERAL FOR MARINE CORPS.

Mr. BUTLER of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10159) to give the commandant of the Marine Corps the rank of major-general.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That from and after the date of the passage of this act the commandant of the Marine Corps shall have the rank, pay, and allowances of a major-general in the Army.

The SPEAKER pro tempore. Is there objection?

Mr. RICHARDSON of Tennessee. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is made by the gentleman from Tennessee.

#### STOREKEEPERS AND GAUGERS.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12097, to amend the internal-revenue laws in regard to storekeepers and gaugers.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the internal-revenue officer holding the combined office of storekeeper and gauger shall hereafter be known and denominated as a storekeeper-gauger, and when performing the combined duties of storekeeper-gauger, or when assigned by the Commissioner of Internal Revenue to perform the duties of a storekeeper only at any distillery, or at any general or special bonded warehouse, he shall receive for his services the compensation of storekeeper only; but when assigned by the Commissioner of Internal Revenue to perform the duties of gauger only, under the internal-revenue laws, as provided by those laws, he shall receive only the compensation for his services and the traveling expenses which are allowed by law to United States gaugers.

The SPEAKER pro tempore. Is there objection?

Mr. RICHARDSON of Tennessee. I desire to ask, Mr. Speaker, if this bill has been reported from the committee.

Mr. PAYNE. It is the unanimous report of the Committee on Ways and Means. To recall the matter to the gentleman's mind, I will say that it appears that it has been the custom of the Department to administer the law in accordance with the provisions of this bill, supposing that was the law. When a man was employed as a storekeeper, he received a storekeeper's pay, and when he was employed as a gauger he received a gauger's pay; but a recent decision of the Comptroller has set aside the former practice and made it necessary to enact this bill, and it was introduced at the request of the Commissioner.

Mr. CLAYTON. It does not increase the compensation of the office?

Mr. PAYNE. Not from what the practice has been for years back; it is the same. I think the pay of a gauger is a little more than that of a storekeeper.

Mr. CLAYTON. It is in the interest of more efficient public service?

Mr. PAYNE. Certainly; it is to pay them for the actual duties they perform under the general law.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

## BRIDGE OVER MISSOURI RIVER NEAR COUNCIL BLUFFS, IOWA.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1295) to amend an act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr., approved February 13, 1891, and amended by an act approved January 28, 1893, and by an act approved April 21, 1898, and to authorize the Omaha Bridge and Terminal Railway Company, successor to the Interstate Bridge and Street Railway Company, to complete, reconstruct, and change a bridge for railway and street railway purposes over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr.

The Clerk read at length the bill and the amendments proposed by the Committee on Interstate and Foreign Commerce.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments proposed by the committee were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SMITH of Iowa, a motion to reconsider the last vote was laid on the table.

## ARIVELLA D. MEEKER.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1305) for the relief of Mrs. Arivella D. Meeker.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby directed to pay to Mrs. Arivella D. Meeker, of Greeley, Colo., the sum of \$9,012.83, out of the annuities of the confederated bands of Ute Indians, as a recognition of the services of her husband, the late Nathan Cook Meeker, as Indian agent at the White River Agency, in Colorado, and for the losses his family sustained by reason of his assassination and the destruction of his property by the Indians of said agency in the year 1879.

The following amendment was recommended by the Committee on Indian Affairs:

In the fourth and fifth lines strike out the words "the sum of \$9,012.83" and insert "an annuity of \$500 per annum for life, commencing on the 15th day of June, 1900."

The SPEAKER pro tempore. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, that is the sixth recognition on the Republican side and only one on the Democratic side this morning, and I object.

The SPEAKER pro tempore. The Chair will say to the gentleman from Tennessee that there have been no applications for unanimous consent. Objection is made.

Mr. LACEY. I would like to say, Mr. Speaker, to my friend from Tennessee that this is not my bill. It is a Senate bill.

The SPEAKER pro tempore. The Chair would like the attention of the gentleman from Tennessee. The Chair will say to the gentleman that there has been no request for recognition from the Democratic side.

Mr. RICHARDSON of Tennessee. But here is the gentleman who has the bill in charge, the gentleman from Colorado, Mr. SHAFROTH.

Mr. LACEY. The gentleman from Colorado did not have the bill in charge; he was not on the committee. I would be glad to yield to him, however.

Mr. SHAFROTH. I am not in charge of this bill. I introduced a bill of similar character, and this is an amendment to the Senate bill, which is a copy of my bill.

Mr. RICHARDSON of Tennessee. Has this bill been reported by any committee?

Mr. LACEY. Oh, yes; it has been reported with an amendment, which is satisfactory to the gentleman from Colorado. I was requested on behalf of this old lady, who is now 87 years of age, to have the bill called up. I shall be glad to yield to anybody on the other side who may wish to take charge of the matter. I have no interest whatever in the bill.

Mr. RICHARDSON of Tennessee. I withdraw my objection.

Mr. PAYNE. Mr. Speaker, I reserve the right to object. I should like to know what committee this bill comes from?

Mr. LACEY. From the Indian Committee.

Mr. PAYNE. Then I object.

The SPEAKER pro tempore. Objection is made.

Mr. LACEY. It seems to me that when we are able to take care of the leader on the Democratic side we ought to be able to do as much with the leader on this side. [Laughter.]

The SPEAKER pro tempore. Objection is made.

Subsequently,

Mr. PAYNE said: Mr. Speaker, I objected a moment ago to a bill called up by the gentleman from Iowa [Mr. LACEY]. Since that time I have learned the facts about that case. The bill does not propose to pay a pension out of the Treasury, as I supposed the proposition to be from the reading. It proposes to pay an annuity from the Indian funds, and for a very good reason. This is an old case where some women were outraged and shamefully

treated years ago. Congress provided, in consideration of the circumstances, that an annuity of \$500 should be paid both to this lady and her daughter, the payments to continue twenty years. The daughter has died, but her mother is still living—now a very old lady. As the twenty years limited in the original act of Congress have expired, the annuity has ceased. This bill contemplates simply that the annuity shall be paid to this old lady for the rest of her life. When I objected, I supposed this was a bill which ought properly to have gone to the Committee on Claims; but I have found that it is in no sense a claim, and it comes properly from the Indian Committee. I therefore withdraw my objection.

Mr. SHAFROTH. At the time of the granting of this annuity, to continue for twenty years, it was expected to cover the lifetime of this lady. She will probably live only a year or two longer.

Mr. LACEY. She is now 87 years old.

Mr. SHAFROTH. So I understand.

The SPEAKER pro tempore. The objection of the gentleman from New York to the consideration of this bill is withdrawn. Is there further objection? The Chair hears none.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the Committee on Indian Affairs were agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 5736. An act for the relief of citizens of French West Indies.

## PUBLICATIONS OF THE GEOLOGICAL SURVEY.

Mr. HEATWOLE. The Committee on Printing, to which was referred the joint resolution (S. R. 74) relating to publications of the Geological Survey, has unanimously directed me to report the same back favorably and to ask its immediate consideration.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives, etc.,* That hereafter the publications of the Geological Survey shall consist of the annual report of the Director, which shall be confined to 1 volume of royal octavo size; monographs, of quarto size; professional papers, of quarto size; bulletins, of ordinary octavo size; mineral resources, of ordinary octavo size; water-supply and irrigation papers, of ordinary octavo size; and such maps, folios, and at lases as may be required by existing law.

That hereafter the reports of the Geological Survey, except the annual report of the Director, shall be published in editions as recommended in each case by the Director and approved by the Secretary of the Interior, but not to exceed 10,000 copies.

That whenever the edition of any of the reports of the Survey shall have become exhausted, and the demand for it continues, there shall be published, on the requisition of the Secretary of the Interior, as many additional copies of the report as the Director of the Survey shall state will, in his judgment, be necessary to meet the demand.

That the bulletins and professional papers shall be distributed gratuitously, and not sold; and that of the number published 1,000 copies shall be delivered to the Senate and 2,000 copies shall be delivered to the House of Representatives for distribution.

That the provision of law approved June 11, 1896, restricting the water-supply papers to 100 pages and to editions of 5,000 copies shall be, and hereby is, rescinded.

That the Director of the Survey shall transmit to the Library of Congress two copies of every report of the Bureau as soon as the first delivery to the Survey is made, such copies to be additional to those received by the Library of Congress under existing law.

The SPEAKER pro tempore. Is there objection to the present consideration of this joint resolution?

Mr. STEPHENS of Texas. What change does it make in the existing law with reference to these publications?

Mr. HEATWOLE. It permits the Director of the Geological Survey to issue to different sections of the country such publications as he thinks will be of most benefit to those particular sections; that is to say, if it were desirable to have printed and published 2,000 copies of a document especially applicable to the gentleman's section of the country, bearing directly on a subject in which the people there are especially interested, it could be done under this resolution.

Mr. STEPHENS of Texas. Then it does not add anything to the expense of publication?

Mr. HEATWOLE. No; in fact it will save nearly \$22,000 a year to the Government in the publication of the reports of the Geological Survey.

Mr. STEPHENS of Texas. Will these documents be distributed through the folding room?

Mr. HEATWOLE. Two thousand copies of each document will be distributed through the House folding room.

Mr. STEPHENS of Texas. To the credit of the members, respectively?



Mr. HEATWOLE. Yes, sir.

There being no objection, the House proceeded to the consideration of the joint resolution; which was ordered to a third reading, read the third time, and passed.

#### PRINTING OF CONGRESSIONAL FRANKS.

Mr. HEATWOLE. I am also directed by the Committee on Printing to report back with an amendment the joint resolution (S. R. 82) providing for the printing annually of franks required for sending out seeds, and to ask immediate consideration of the same.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives, etc., That the Public Printer shall furnish to the Secretary of Agriculture on his order such franks as the Secretary of Agriculture may require for sending out seeds on Congressional orders and for sending out seeds on order of the Secretary of Agriculture, such franks to bear the names of Senators, Representatives, and Delegates printed thereon and the words "U. S. Department of Agriculture, Congressional Seed Distribution," or such other phraseology as the Secretary may direct, and that such franks shall be furnished each year at such times and in such quantities as the Secretary of Agriculture may require.*

The amendment reported by the committee was read, as follows:

Strike out all after the resolving clause and substitute the following in lieu thereof:

"That the Public Printer shall furnish to the Department of Agriculture such franks as the Secretary of Agriculture may require for sending out seeds on Congressional orders, the franks to have printed thereon the facsimile signatures of Senators, Representatives, and Delegates, also the names of their respective States or Territories, and the words "United States Department of Agriculture, Congressional Seed Distribution," or such other printed matter as the Secretary of Agriculture may direct; the franks to be of such size and style as may be prescribed by the Secretary of Agriculture; the expense of printing the said franks to be charged to the allotment for printing and binding for the two Houses of Congress."

There being no objection, the House proceeded to the consideration of the joint resolution.

The amendment reported by the committee was agreed to.

The joint resolution as amended was ordered to a third reading, read the third time, and passed.

#### COURSE OF STUDY FOR INDIAN SCHOOLS.

Mr. HEATWOLE. I am further directed by the Committee on Printing to ask unanimous consent for the consideration of the concurrent resolution which I send to the desk.

The SPEAKER pro tempore. The gentleman from Minnesota, chairman of the Committee on Printing, submits the following concurrent resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 6,000 copies of the revised Course of Study for Indian Schools; 1,500 for the use of the Senate, 3,000 for the use of the House of Representatives, and 1,500 for the use of the superintendent of Indian schools.*

The report (by Mr. HEATWOLE) is as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 33, providing for the printing of 6,000 copies of the revised Course of Study for Indian Schools, recommend that the same be agreed to.

The Public Printer estimates the cost of this work at \$1,548.

The SPEAKER pro tempore. Is there objection to the present consideration of the concurrent resolution?

There was no objection.

The concurrent resolution was agreed to.

#### GEOLOGICAL AND WATER RESOURCES OF THE BLACK HILLS.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of the following:

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent for the present consideration of the concurrent resolution which the Clerk will report.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 copies of the Preliminary Description of the Geological and Water Resources of the Southern Half of the Black Hills and adjoining regions in South Dakota and Wyoming, recently prepared by Nelson Horatio Darton, under the direction of the United States Geological Survey, 500 copies for use of the House, 250 copies for use of the Senate, and 250 copies for use of the Secretary of the Interior.*

The report (by Mr. HEATWOLE) is as follows:

Your Committee on Printing having had under consideration House concurrent resolution No. 49, to provide for the printing of the Preliminary Description of the Geological and Water Resources of the Southern Half of the Black Hills and adjoining regions in South Dakota and Wyoming, recently prepared by Nelson Horatio Darton, under the direction of the United States Geological Survey, it is recommended that the same do pass.

The Public Printer estimates the cost of this publication at \$1,423.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The concurrent resolution was agreed to.

#### LOUISIANA PURCHASE PAPERS.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask consideration of the following privileged resolution.

The SPEAKER pro tempore. The gentleman from Minnesota presents a privileged resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be published and bound 6,000 copies of the State papers, and all correspondence bearing upon the purchase of the territory of Louisiana by the United States, including the treaty of purchase; 4,000 copies for the use of the House of Representatives and 2,000 for the use of the Senate.*

The report (by Mr. HEATWOLE) was as follows:

Your Committee on Printing, having had under consideration House concurrent resolution No. 25, to print 6,000 copies of the State papers, and all correspondence bearing upon the purchase of the territory of Louisiana by the United States, including the treaty of purchase, recommend that the same do pass.

The Public Printer estimates the cost of this publication at \$2,735.

The resolution was agreed to.

#### BARK HOMEWARD BOUND.

Mr. RICHARDSON of Tennessee. Mr. Speaker, a moment ago I objected to the consideration of a bill presented by the gentleman from California [Mr. McLACHLAN], S. 4992, to provide an American register for the bark *Homeward Bound*. I have examined the bill since then, and it seems to be a case of great emergency. There is not much involved in it, and I withdraw the objection I made.

The SPEAKER pro tempore. The gentleman from Tennessee withdraws his objection. Is there further objection?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. McLACHLAN, a motion to reconsider the last vote was laid on the table.

#### CORRESPONDENCE OF JEFFERSON, MADISON, AND MONROE.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of the following resolution.

The SPEAKER pro tempore. The gentleman from Minnesota, chairman of the Committee on Printing, asks unanimous consent for the present consideration of Senate concurrent resolution No. 20, which will be reported by the Clerk.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 4,000 copies of each of the following bulletins of the Bureau of Rolls and Library of the Department of State, namely: Calendars of the Correspondence of Thomas Jefferson, James Madison, and James Monroe; 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 copies for distribution by the Department of State.*

The report (by Mr. HEATWOLE) was as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 20, providing for the printing of 4,000 copies of each of the following bulletins of the Bureau of Rolls and Library of the Department of State, namely: Calendars of the Correspondence of Thomas Jefferson, James Madison, and James Monroe, it is recommended that the same do pass. The Public Printer estimates the cost of this work at \$11,846.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

#### DISEASES OF THE HORSE.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (S. R. 92) providing for the publication of 50,000 copies of the Special Report on the Diseases of the Horse, the passage of which has been recommended by the Committee on Printing with an amendment.

The joint resolution was read, as follows:

*Resolved, etc., That there be printed and bound in cloth 50,000 copies of the Special Report on the Diseases of the Horse, the same to be first revised and brought up to date, under the supervision of the Secretary of Agriculture; 27,000 for the use of the House of Representatives, 15,000 for the use of the Senate, and 8,000 for the use of the Department of Agriculture.*

The report (by Mr. HEATWOLE) is as follows:

Your Committee on Printing, having had under consideration Senate joint resolution No. 92, providing for the publication of the Special Report on Diseases of the Horse, recommend that the same be agreed to with the following amendment:

Strike out all after the resolving clause and insert in lieu thereof:

"That there be printed and bound in cloth 200,000 copies of the Special Report on the Diseases of the Horse, the same to be first revised and brought up to date, under the supervision of the Secretary of Agriculture; 128,000 copies for the use of the House of Representatives, 64,000 copies for the use of the Senate, and 8,000 copies for the use of the Department of Agriculture."

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There was no objection.

The amendment recommended by the committee was agreed to.

The joint resolution as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

#### THE FIVE CIVILIZED TRIBES.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of House concurrent resolution No. 43.

The SPEAKER pro tempore. The gentleman from Minnesota, from the Committee on Printing, asks unanimous consent for the present consideration of a concurrent resolution, which will be reported by the Clerk.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed 3,500 additional copies of the annual report of the Commission to the Five Civilized Tribes to the Secretary of the Interior for the fiscal year ended June 30, 1901, 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 2,000 copies for the use of the Department of the Interior.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The report (by Mr. HEATWOLE) was as follows:

The Committee on Printing, having had under consideration House concurrent resolution No. 43, to provide for the printing of 3,500 additional copies of the annual report of the Commission to the Five Civilized Tribes to the Secretary of the Interior for the fiscal year ended June 30, 1901, recommend that the same do pass.

The Public Printer estimates the cost of this work at \$2,143.

The concurrent resolution was agreed to.

#### LAND AND PENSION DECISIONS.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of Senate resolution 15.

The SPEAKER pro tempore. The gentleman from Minnesota, chairman of the Committee on Printing, asks unanimous consent for the present consideration of a concurrent resolution which will be reported by the Clerk.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring).* That the Public Printer be, and he is hereby, authorized and directed to print from stereotype plates and to bind 200 copies each of volume 10 and volumes 20 to 31, inclusive, Land Decisions, and volumes 10 and 11, Pension Decisions, for distribution and sale by the Secretary of the Interior.

The report (by Mr. HEATWOLE) is as follows:

The Committee on Printing, having had under consideration Senate Concurrent Resolution No. 15, to authorize the printing from stereotype plates of 200 copies each of volumes 10 and volumes 20 to 31, inclusive, Land Decisions, and volumes 10 and 11, Pension Decisions, for distribution and sale by the Secretary of the Interior, it is recommended that the same do pass.

The Public Printer estimates the cost of this work at \$3,850.

The SPEAKER pro tempore. Is there objection to the present consideration of the concurrent resolution?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I understand this is to print the decisions of the Land Office.

Mr. HEATWOLE. Yes.

Mr. RICHARDSON of Tennessee. I suppose the committee in each one of these cases have made a report.

Mr. HEATWOLE. Yes.

Mr. RICHARDSON of Tennessee. And does the report in each case show the amount of cost of printing these publications?

Mr. HEATWOLE. It does.

Mr. RICHARDSON of Tennessee. I think, Mr. Speaker, that these reports ought to be printed in each case, in order that the House may be informed as to the cost of the several publications; and I shall ask that in each case the report be printed, in order that the House may know the cost. The rules require that in each case where there is printing under these resolutions the report shall show to the House the cost of the publication. Unless that fact appears in each report, I shall object to consideration. Now, I understand from the gentleman from Minnesota that in each case he has conformed to the rule of the House which requires that the report shall show the cost of the publication, and that being so, I ask now, before I give consent in this case, that the report in each one of these cases of publication be printed. I think it ought to be done in order that the House may have the benefit of it.

The SPEAKER pro tempore. The Chair will state to the gentleman from Tennessee that these reports are printed as documents. Does the gentleman wish to have them printed in the RECORD?

Mr. RICHARDSON of Tennessee. Yes; they ought to be printed in the RECORD.

Mr. LACEY. I will suggest to the gentleman that this is only to print a few copies of these reports for sale.

Mr. RICHARDSON of Tennessee. But that is a bound volume of 700 pages.

Mr. LACEY. It has been printed from stereotype plates, and it is printed for sale. They are out of print, and they are sold for \$5 or \$6 a volume.

Mr. RICHARDSON of Tennessee. Still we ought to have the cost of the publication.

Mr. LACEY. It is not for Congress at all.

Mr. RICHARDSON of Tennessee. But we ought to have the cost of it.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the reports accompanying the vari-

ous resolutions from the Committee on Printing be printed in the RECORD. Is there objection?

Mr. RICHARDSON of Tennessee. If the gentleman from Minnesota states that any one of the reports is long, as sometimes they have to be, I would not insist on printing the report at length, but that the cost be printed as given in the report in each case.

Mr. HEATWOLE. I would like to say that the cost of each document, whenever it is attainable, is attached to the report.

Mr. RICHARDSON of Tennessee. That is right. The rule of the House requires that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and it is so ordered. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

#### SPECIAL REPORT ON DISEASES OF CATTLE.

Mr. HEATWOLE. In behalf of the Committee on Printing, I ask unanimous consent for the present consideration of Senate joint resolution No. 91.

The joint resolution was read, as follows:

*Resolved, etc.,* That there be printed and bound in cloth 50,000 copies of the Special Report on the Diseases of Cattle, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, 27,000 for the use of the House of Representatives, 15,000 for the use of the Senate, and 8,000 for the use of the Department of Agriculture.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "twenty-seven" and insert "thirty" in lieu thereof.

In line 8 strike out the word "eight" and insert "five" in lieu thereof.

The report of the Committee on Printing is as follows:

Your Committee on Printing, having had under consideration Senate joint resolution No. 91, providing for the publication of 50,000 copies of the Special Report on Diseases of Cattle, recommend that the same do pass with the following amendments:

In line 6 strike out the words "twenty-seven" and insert "thirty" in lieu thereof.

In line 8 strike out the word "eight" and insert "five" in lieu thereof.

The amendments were agreed to.

The joint resolution as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

#### IRRIGATION INVESTIGATIONS IN CALIFORNIA.

Mr. HEATWOLE. On behalf of the Committee on Printing, I ask unanimous consent for the present consideration of the following:

The Clerk read as follows:

Senate concurrent resolution No. 28.

*Resolved, etc.,* That there be printed 3,200 additional copies of the bulletin entitled "Irrigation Investigations in California, Bulletin No. 100, United States Department of Agriculture, Office of Experiment Stations, 1901," of which 3,000 copies shall be for the use of the Department of Agriculture and 200 copies for the use of the Senate.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The report of the Committee on Printing is as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 28, providing for the printing of additional copies of the bulletin on "Irrigation Investigations in California, Bulletin Numbered 100, Department of Agriculture, Office of Experiment Stations, 1901," recommend that the same be agreed to.

The Public Printer estimates the cost of this work at \$3,305.

The question was taken, and the concurrent resolution was agreed to.

#### FORESTS, RIVERS, AND MOUNTAINS OF SOUTHERN APPALACHIAN REGION.

Mr. HEATWOLE. I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of the following:

The Clerk read as follows:

Senate concurrent resolution No. 17.

*Resolved, etc.,* That there be printed 15,000 copies of Senate Document No. 84, being a message from the President of the United States transmitting a report of the Secretary of Agriculture in relation to the forests, rivers, and mountains of the Southern Appalachian region, of which 2,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 10,000 copies for the use of the United States Department of Agriculture.

The amendments recommended by the committee were read, as follows:

In line 8 (engrossed copy of resolution) strike out the words "two thousand" and insert in lieu thereof "one thousand five hundred."

In line 11, after the word "thousand," and before the word "copies," insert "five hundred;" so that the same shall read as follows:

*Resolved, etc.,* That there be printed 10,000 copies of Senate Document No. 84, being a message from the President of the United States transmitting a report of the Secretary of Agriculture in relation to the forests, rivers, and mountains of the Southern Appalachian region, of which 1,500 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 5,500 copies for the use of the United States Department of Agriculture.



The report of the committee is as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 17, authorizing the printing of 10,000 copies of Senate Document No. 84, being a message from the President of the United States, transmitting a report of the Secretary of Agriculture in relation to the forests, rivers, and mountains of the Southern Appalachian region, recommend that the same be agreed to with the following amendments:

In line 8 (engrossed copy of resolution) strike out the words "two thousand" and insert in lieu thereof "one thousand five hundred."

In line 11, after the word "thousand" and before the word "copies," insert "five hundred;" so that the same shall read as follows:

"Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 copies of Senate Document No. 84, being a message from the President of the United States, transmitting a report of the Secretary of Agriculture in relation to the forests, rivers, and mountains of the Southern Appalachian region, of which 1,500 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 5,500 copies for the use of the United States Department of Agriculture."

The Public Printer estimates the cost of this publication at \$16,350.

The SPEAKER pro tempore. Is there objection to the present consideration of the concurrent resolution? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to. The resolution as amended was agreed to.

#### REPORT ON RURAL FREE-DELIVERY SERVICE.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of the following:

The Clerk read as follows:

House concurrent resolution No. 50.

Resolved by the House of Representatives (the Senate concurring), That there be printed 25,000 copies of so much of the First Assistant Postmaster-General's Report for 1900-1901 as relates to rural free-delivery service; 10,000 copies for the use of the Post-Office Department, 10,000 for the use of the House of Representatives, and 5,000 copies for the use of the Senate.

The report of the committee is as follows:

Your Committee on Printing, having had under consideration House concurrent resolution No. 50, authorizing the printing of 25,000 copies of so much of the First Assistant Postmaster-General's report for 1900-1901 as relates to rural free-delivery service, recommend that the same do pass. The Public Printer estimates the cost of printing this work at \$1,835.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the concurrent resolution was agreed to.

#### LEAVE TO PRINT.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. SMITH] may be allowed to extend his remarks on the statehood bill in the RECORD.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that the gentleman from Arizona [Mr. SMITH] be allowed to extend his remarks on the statehood bill in the RECORD. Is there objection? [After a pause.] The Chair hears none.

#### PAUL CRUM.

The SPEAKER pro tempore laid before the House the bill (H. R. 5096) to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry, with Senate amendments, which were read.

Mr. MARSHALL. Mr. Speaker, I move to concur in the Senate amendments.

The motion to concur was agreed to.

#### MOUNTAIN MEADOW MASSACRE.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of House resolution 156.

The resolution was read, as follows:

House resolution No. 156.

Resolved, That there be printed, as a House document, 5,000 copies of the Special Report of the Mountain Meadow Massacre, as compiled by J. H. Carleton, brevet major, United States Army, captain, First Dragoons.

The report was read, as follows:

Your Committee on Printing, having had under consideration House simple resolution No. 156, authorizing the printing, as a House document, 5,000 copies of the Special Report of the Mountain Meadow Massacre, as compiled by J. H. Carleton, brevet major, United States Army, captain, First Dragoons, it is recommended that the same do pass. The Public Printer estimates the cost of this publication at \$165.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The resolution was agreed to.

#### MORALS OF JESUS OF NAZARETH, BY THOMAS JEFFERSON.

Mr. HEATWOLE. Mr. Speaker, I ask present consideration of the following privileged report:

The Clerk read as follows:

House concurrent resolution 15.

Resolved, etc., That there be printed in facsimile for the use of Congress 9,000 copies of Thomas Jefferson's Morals of Jesus of Nazareth, as the same appears in the National Museum, 3,000 copies for the use of the Senate and 6,000 copies for the use of the House.

The amendment recommended by the committee was read, as follows:

In second line strike out the words "in facsimile" and insert in lieu thereof "and bound, by photolithographic process, with an introduction of not to exceed 25 pages, to be prepared by Dr. Cyrus Adler, librarian of the Smithsonian Institution."

So that the resolution shall read as follows:

Resolved, etc., That there be printed and bound, by photolithographic process, with an introduction of not to exceed 25 pages, to be prepared by Dr. Cyrus Adler, librarian of the Smithsonian Institution, for the use of Congress, 9,000 copies of Thomas Jefferson's Morals of Jesus of Nazareth, as the same appeared in the National Museum, 3,000 copies for the use of the Senate and 6,000 copies for the use of the House.

The report is as follows:

Your Committee on Printing, having had under consideration House concurrent resolution No. 15, providing for the printing of 9,000 copies of Thomas Jefferson's Morals of Jesus of Nazareth, recommend that the same do pass with the following amendment.

In second line strike out the words "in facsimile" and insert in lieu thereof "and bound, by photolithographic process, with an introduction of not to exceed 25 pages, to be prepared by Dr. Cyrus Adler, librarian of the Smithsonian Institution."

So that the resolution shall read as follows:

Resolved, etc., That there be printed and bound, by photolithographic process, with an introduction of not to exceed 25 pages, to be prepared by Dr. Cyrus Adler, librarian of the Smithsonian Institution, for the use of Congress, 9,000 copies of Thomas Jefferson's Morals of Jesus of Nazareth, as the same appeared in the National Museum, 3,000 copies for the use of the Senate and 6,000 copies for the use of the House.

The Public Printer estimates the cost of this work, exclusive of the proposed introduction, at \$3,227.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. GROSVENOR. Mr. Speaker, what is this?

Mr. HEATWOLE. I yield to the gentleman from Iowa.

Mr. LACEY. Mr. Speaker, Congress has published all the works of Thomas Jefferson with the exception of this volume, and that was not published because it was not then in the Congressional Library. Since then it has been added to the Library.

Mr. GROSVENOR. What is it?

Mr. LACEY. "Morals of Jesus of Nazareth," as compiled by Thomas Jefferson. It makes a small volume, compiled textually from the four Gospels. This is a work of which there is only one copy in the world; and should it be lost, it would be a very great loss.

Mr. GROSVENOR. Would the gentleman consent to put Dillingworth's spelling book as an appendix to the work?

Mr. LACEY. That would be very amusing, Mr. Speaker; but this is really one of the most remarkable contributions of Thomas Jefferson.

Mr. GROSVENOR. Not more so than a great many other works of private enterprise by various individuals.

Mr. PAYNE. Why not substitute the four Gospels?

Mr. LACEY. The Government owns this manuscript, and it is the only copy in the world.

Mr. GROSVENOR. I wish it had never been found. [Laughter.]

Mr. LACEY. Mr. Speaker, there is a little volume of 164 pages in the library of the National Museum, bound in red morocco by a Richmond bookbinder, which is one of the curious things in Washington, that is rarely seen. Thomas Jefferson's library was purchased by the Government and is now contained in the splendid Congressional Library. Some time ago, in giving the Jefferson collection a careful examination, I found that the "Jefferson Bible," as it is sometimes called, was not there. No one could tell me where it was until I asked A. R. Spofford, who knows everything about books, and he told me it was in the National Museum library. It appears that the volume was not included in the sale of Mr. Jefferson's library, but was afterwards purchased for \$400 from Miss Randolph. This book is too valuable to be kept upon the shelves of the Museum library, but Dr. Cyrus Adler keeps it under lock and key and carries the key himself.

Mr. Jefferson was a freethinker, but his clear and just mind appreciated the teachings of the founder of the Christian religion, and the study of the Scriptures was the frequent occupation of his busy mind. He read Marcus Aurelius, Epictetus, and other ancient writers on moral philosophy, and he conceived the idea of condensing the life and teachings of Jesus into a small volume, in which everything of a supernatural character should be omitted, evidently believing that the great truths of the religion of our Saviour would lose nothing by being separated from the miracles and wonders with which they are accompanied in the text of the Gospels.

John Adams and Mr. Jefferson, at one time bitter enemies, became in their retirement ardent friends, and were as regular in their correspondence as a pair of boarding-school girls. This compilation became the subject of their correspondence, and Mr. Jefferson promised to complete the work.

On January 29, 1804, in a letter written at Washington to Dr. Priestly, he said:

I rejoice that you have undertaken the task of comparing the moral doctrines of Jesus with those of the ancient philosophers.

I think you can not avoid giving, as a preliminary to the comparison, a digest of his moral doctrines, extracted in his own words from the Evangelists and leaving out everything relative to his personal history and character. It would be short and precious. With a view to do this for my own satisfaction, I had sent to Philadelphia to get two testaments Greek of the same edition and two English, with a design to cut the doctrines of morality and paste them on the leaves of a book in the manner you describe in framing your harmony. But I shall now get the thing done by better hands.

In his letter to Mr. Adams August 22, 1813, he says that he had prepared a syllabus of the Christian teachings for Dr. Priestly and Dr. Rush, and that Dr. Rush's family had returned it after the death of that gentleman, to Mr. Jefferson's great delight, for he found that it would involve him in a religious controversy.

On January 9, 1816, he wrote to Charles Thompson on the subject:

I, too, have made a little book from the same materials, which I call the Philosophy of Jesus. It is a paradigm of his doctrines, made by cutting the texts out of the books and arranging them on the pages of a blank book in a certain order of time or subject. A more beautiful or precious morsel of ethics I have never seen. \* \* \* If I had time, I would add to my little book the Greek, Latin, and French texts in columns side by side.

On October 31, 1819, he wrote from Monticello to William Short:

As you say of yourself, I too, am an epicurean. I consider the genuine (not the imputed) doctrines of Epicurus as containing everything rational in moral philosophy which Greece and Rome have left us. \* \* \* But the greatest of all reformers of the depraved religion of his own country was Jesus of Nazareth. \* \* \* Epictetus and Epicurus give laws for governing ourselves, Jesus a supplement of the duties and charities we owe to others. \* \* \* I have sometimes thought of translating Epictetus (for he has never been tolerably translated into English) by adding the doctrines of Epictetus from the syntagma of Gassendi and an abstract from the Evangelists. \* \* \* The last I attempted too hastily some twelve or fifteen years ago. It was the work of some two or three nights only, at Washington, after getting through the evening's task of reading the letters and papers of the day. But with one foot in the grave these are now idle projects for me.

Evidently Mr. Jefferson did resume the work and reproduced it with great care. The book is a duodecimo volume of 82 double pages, or 164 pages, though Mr. Jefferson has paged only the left-hand page. On the left hand he has pasted the clippings in two columns, first in Greek and then in Latin. On the right hand he has put the French version first and the English in the last column. So the whole is neatly pasted in four finely printed columns in Greek, Latin, French, and English. There are marginal notes in Jefferson's own handwriting, with a table in front giving the pages and citing the chapters and verses from which the clippings are taken. In his writings he says that he has sent for two Testaments in each language for the purpose. The scope of the book is indicated by the title page, which is in Jefferson's handwriting: *The Life and Morals of Jesus of Nazareth, Extracted Textually from the Gospels in Greek, Latin, French, and English.*

In a marginal note he gives the Roman law on sedition under which Jesus was tried. A map of Judea is attached, convenient for reference, and the whole work bears evidence of the compiler's care and characteristic neatness.

He has omitted everything of a miraculous nature and has confined his clippings to the pure teachings of Jesus. He has clipped from all the Gospels, using the verses which make the clearest statement where the texts are practically the same, but he inserts texts from all of them, so as to include the entire teachings of the Saviour. The result is unique. In a clear, lucid form, apart from all surroundings of the supernatural, appear the words and moral teachings of the Son of Man.

In the concluding verse of the work he takes John xix, 42, and Matthew xxvii, 60, and combines them, clipping out all but the plain statement of the burial. The result is as follows:

John xix, 42: There laid they Jesus, \* \* \*  
Matthew xxvii, 60: \* \* \* and \* \* \* rolled a great stone to the door of the sepulcher, and departed.

So he leaves Jesus buried forever in the grave and gives no hope of the "resurrection and the life."

Though it is a blue-penciled and expurgated New Testament, it has not been prepared in any irreverent spirit. The result is a consolidation of the beautiful, pure teachings of the Saviour in a compact form, mingled with only so much of narrative as a Virginia lawyer would hold to be credible in those matter-of-fact days, and the opportunity is given, plain and unadorned, to compare these teachings with Marcus Aurelius's and other pagan "morals." They are in striking contrast to Plutarch's morals, or, rather, his immoralities. No greater practical test of the worth of the tenets of the Christian religion could be made than the publication of this condensation by Mr. Jefferson. The jewels are taken from their settings, but they shine with their own luster. A verse of John is combined with a verse of Matthew with no interlineations, but is blended into a harmonious whole.

In these days of photolithography this little volume can be easily reproduced in facsimile. The work was intended to place the morals of Jesus in a form where, simple and alone, they could be contrasted with the teachings of the pagan philosophers. In doing this work Mr. Jefferson has builded better than he knew, and I trust that we may now have a reproduction of this beautiful little volume in a form to be accessible to the Christian world.

It has been said by an eminent minister of the gospel that Christianity must be true or it could never have survived so much poor preaching. Mr. Jefferson has put it to a still better test by this abridgment of the doctrines of the Divine Author.

The SPEAKER. The first question is on agreeing to the amendments.

The question was considered, and the amendments agreed to. The resolution was agreed to.

#### REPORT OF THE DIRECTOR OF THE MINT.

Mr. HEATWOLE. Mr. Speaker, I submit the following concurrent resolution (No. 26), which I send to the Clerk's desk:

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be 6,000 additional copies of the report of the Director of the Mint on the production of the precious metals for the calendar year 1900, bound in cloth and wrapped; 2,000 copies for the use of the House of Representatives, 1,000 for the use of the Senate, and 3,000 copies for the use of the Director of the Mint.*

*Resolved, That there also be printed 8,000 additional copies of the report of the Director of the Mint covering the operations of the mints and assay offices of the United States for the fiscal year ended June 30, 1901, to be bound in cloth and wrapped; 3,000 copies for the use of the House of Representatives, 2,000 for the use of the Senate, and 3,000 for the use of the Director of the Mint.*

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The resolution was considered and agreed to.

#### RELIEF OF CITIZENS OF FRENCH WEST INDIES.

Mr. PAYNE. Mr. Speaker, I understand a bill has just come over from the Senate which is on the Speaker's table, and I ask unanimous consent for its present consideration.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill (S. 5736) "for the relief of the citizens of the French West Indies," and for its present consideration.

Mr. RICHARDSON of Tennessee. Let it be reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to cause to be purchased such provisions, clothing, medicines, and other necessary articles as he shall deem advisable, and tender the same in the name of the Government of the United States to that of France for the relief of the citizens who have suffered by the late earthquakes and eruption in the islands of the French West Indies.*

SEC. 2. That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated to carry into operation this act.

SEC. 3. That the Secretary of War is authorized to use necessary steamers and vessels belonging to the Government to carry into effect the purpose of this act.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I believe it is wise at all times to help our neighbors if they are really in distress. I know of no reason why this Government should turn its Treasury into an eleemosynary institution, and I do not see any necessity for our having a legislative spasm about the condition of our neighbors to the south of us. If we can furnish them relief, it will take days to purchase the provisions and supplies and equip the ships and send them down there. It is impossible at this time, in view of the scarcity of details in the dispatch which we only got this morning, for the President of the United States or anybody else to know about the conditions. This class of legislation, of getting up and throwing a hundred thousand dollars away without information, without investigation by a committee, I see no reason for.

Mr. PAYNE. Mr. Speaker, there is no doubt about the terrible calamity and that many thousands of lives have been lost, and there must be much suffering resulting from it. In these days of swift communication the President can quickly learn the conditions that exist, and raise the supplies that are necessary to these people, and if we are going to give anything it seems to me we ought to give quickly. If we are to move at all it will take time to purchase supplies and we ought to begin at once. There is no difficulty in finding out just what is necessary. Experience in the past would teach us what was necessary, and if not by cable we can soon find out what is necessary.

Mr. SHACKLEFORD. Are these people not French subjects and on French territory, and is not the Republic of France able to take care of her own sufferers?

Mr. PAYNE. Probably France is able, but still it is a neighborly act. I do not think it improper, in dealing with a friendly power, to offer this aid.

Mr. UNDERWOOD. Mr. Speaker, what I wish to say is this: I believe in helping people in distress. I prefer to help our own people, and we have many in distress. There may be a good reason for helping these people, but there is nothing to show that the President of the United States has requested us to do it, or that he sees any occasion for doing it, or that he has got any information about this matter. We only heard of this matter this morning; the information has just come to this Congress, and it may be exaggerated and it may not be. If these people at our doors



are in distress and ought to be assisted, I am willing to assist them; but I think that our State Department should first furnish some information for us to act upon. It can not delay the matter but for a day. It can be reported on when we have more full information. I do not think it wise for the House to get into a legislative spasm about matters of this kind when information can readily be obtained, and when a resolution can be passed upon proper information; and, therefore, I think the bill ought to go to a committee.

Mr. GAINES of Tennessee. I want to say to my friend that we were about twelve months getting supplies to Russia.

The SPEAKER pro tempore. Objection is made by the gentleman from Alabama.

#### SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5587. An act for the relief of Anna Eliza Isabella Von Hemert—to the Committee on Claims.

S. 5467. An act for the relief of William Persons—to the Committee on Military Affairs.

S. 5434. An act to authorize the city of Little Falls, Minn., to construct a wagon and foot bridge across the Mississippi River within the limits of said city—to the Committee on Interstate and Foreign Commerce.

S. R. 87. Joint resolution to permit steam railroads in the District of Columbia to occupy additional parts of streets, in order to accommodate the traveling public attending the encampment of the Grand Army of the Republic in October, 1902—to the Committee on the District of Columbia.

S. 5736. An act for the relief of citizens of French West Indies—to the Committee on Appropriations.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. ROBERTSON of Louisiana, indefinitely, on account of sickness in his family.

To Mr. CANDLER, indefinitely, on account of important business.

To Mr. PERKINS, until Thursday, on account of important business.

#### EULOGIES ON THE LATE REPRESENTATIVE POLK.

Mr. GREEN of Pennsylvania. Mr. Speaker, the hour of 1 o'clock having arrived, I call up the special order.

The SPEAKER pro tempore. The Clerk will read the special order.

The Clerk read as follows:

On motion of Mr. GREEN of Pennsylvania, by unanimous consent, it was ordered that Saturday, May 10, at 1 p. m., be set apart for the purpose of paying a tribute of respect to the memory of the late RUFUS K. POLK, a Representative from the State of Pennsylvania.

Mr. GREEN of Pennsylvania. Mr. Speaker, I offer the following resolutions which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved*, That the business of the House be now suspended that opportunity may be given for paying tribute to the memory of Hon. RUFUS K. POLK, late a member of the House of Representatives from the State of Pennsylvania.

*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his eminent abilities as a distinguished public servant, the House at the conclusion of the memorial proceedings shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions with the exception of the portion relating to the immediate adjournment of the House.

The remaining resolutions were unanimously adopted.

Mr. GREEN of Pennsylvania. Mr. Speaker, before these exercises begin, I wish to ask unanimous consent that members not now present be permitted to print in the RECORD such eulogies on the late Mr. POLK as they may desire to publish. The reason for making this request is that a number of members have been unable to attend here to-day.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. GREEN] asks unanimous consent that all members desiring to exercise the privilege be permitted to print in the RECORD eulogies on the late Mr. POLK. Is there objection? The Chair hears none, and leave is accordingly granted.

Mr. GREEN of Pennsylvania. Mr. Speaker, amid the carnival which the Grim Reaper has been holding with the members of this body, I am called upon to perform the most difficult and the saddest task of my life.

With graceful words and elegant phrases it is easy to pay a last tribute to colleagues respected, admired, and esteemed; but this man was my friend, my comrade, my roommate, and I loved him.

Not with the flowers of rhetoric, but with heart throbs and with tears I approach his grave.

The rose and the forget-me-not, with the violet and the leaves of the sturdy oak, I would weave in a chaplet to his memory and bind them together with heartstrings.

Justice I can not do him, for the feelings of the heart are not told by words.

While he lived I never knew how much attached I was to him, and his death has left a void which time alone may fill.

When the rumor of his sudden and unexpected death was brought to me I felt benumbed, and the truth came as a bolt from out of the clear blue of sunny skies. Never will I forget the shock.

Never the lonely feeling I had for days afterwards when I came back to the cosy apartments where together we lived. I never thought I could miss one so much, and I never felt so thoroughly alone and less inclined to resume the work piling up before me.

What endeared this man to me? I can not tell.

I met him but two short years ago, when we came to the Fifty-sixth Congress.

One makes few warm friendships in middle life. This was one, and the stronger perhaps for that reason. I liked him from our first meeting, and as we were drawn oftener together the bond of union strengthened.

He was ten years my junior, and it surely was not his advice nor his judgment I sought.

But what made every man, woman, and child who knew him love him?

He had many warm friends among his colleagues, and when you heard even his acquaintances refer to him it showed that he had impressed them with his irresistible charm.

At his funeral, when the long line of brawny workmen whom he had employed filed by his coffin, pausing to take a last look at his face motionless in death, you could plainly read in each man's countenance the fact that they, too, had come under the spell of this charm, and sincerely mourned the loss of one whom they regarded as a dear friend.

He was a lovely fellow. I never met one more lovable.

His voice, soft and sweet, and its musical accent and expression bespoke him a son of the "Old South." No one who ever heard him talk will ever forget its gentle, winning tones.

More winning than his voice were his manners. They were never acquired, but inherited from aristocratic ancestors, polished gentlemen and charming ladies of the old school who ruled the South in the antebellum days; and this inheritance was strengthened by education, breeding, and refined surroundings.

His nature was sympathetic. He could not bear to see man or beast suffer, and was always ready to give to distress such relief as was in his power.

His generosity was proverbial, and not only did he spend his money with lavish hand, but I never heard him fail to give everyone the benefit of a doubt, and never, unless richly deserved, have I heard him say an unkind or uncharitable word about even a social or business acquaintance.

So much did he crave the good opinion and esteem of his associates and so prodigal was he with his favors to them that I sometimes thought him vain and seeking admiration.

To an exceptional degree he possessed the charming spirit of camaraderie, and that made him popular at home and abroad.

His faults were but skin deep, and never reached his heart or scarred his soul.

With all these traits his character and personality were strong, not weak, and no one could ever say "no" more firmly or was more tenacious to his own carefully formed opinions. Often, when a man or a question was being discussed with general agreement, to the surprise of all would he announce a different opinion and advance convincing arguments in its support. Yet his manner of announcing such a difference, although firm, never seemed to offend. I envied his tact on such occasions.

But more than all these he was manly and just and strictly honest in word and thought and deed. In our close association I never heard him utter a word from which one could form the suspicion that he sought to injure or obtain an unjust advantage of anyone with whom he dealt, and he exacted the same business integrity from others in their dealings. He despised a dishonest man and left him severely alone.

He had a vein of stubbornness running through him, and at times it took a rough bit and a strong hand to control him when his teeth were set. These fits happened but seldom. As a rule he was gentle, full of warm, generous impulses, kind-hearted, sympathetic, courteous, and tolerant even of the prejudices of others.

Much of his life and of his ambitions I learned from his own lips as we sat after dinner in the evening twilight and exchanged mutual confidences before we took up the never-ending tasks of Congressional life.

He would light a cigar and stretch out on an easy chair and

talk of his wife and his babies, of his parents, and his illustrious uncle Leonidas, the fighting bishop, and many other things. These were our social chats and heart to heart talks. This was the history of his life as I gleaned it chiefly from these talks.

RUFUS KING POLK was born August 23, 1866, in Maury County, Tenn., on his father's plantation, some 7 miles from Columbia. This was just after the close of that gigantic struggle between the North and the South, and he was the first-born. His father had little but this plantation left after that struggle, in which he and every able-bodied kinsman took an active part on the side of the Confederacy.

Both his father, Lucius E., and his uncle, Leonidas, had reached the rank of general. Both were famous for their intrepid bravery, as a result of which his father was left for dead lying under his horse in front of the breastworks of a fortification where both horse and rider had been shot down. Here he sustained an injury which he carried to his grave in the winter of 1892-93, a few weeks after RUFUS was married.

His youth was passed on the old plantation with his parents, three brothers, and a sister, until he was sent to a local academy and fitted for college. He entered Lehigh University, in Pennsylvania, and graduated with the class of 1887 with the degree of Bachelor of Science, and then took a post-graduate course in mining engineering. After leaving college he located in Danville, Pa., and was employed as chemist by the Montour Iron and Steel Company. With the exception of a few months during which he had charge of the furnaces of the Hocking Valley Coal and Iron Company in Ohio, he engaged in business in Danville, as assistant superintendent of the Montour Iron and Steel Company, general manager of the North Branch Steel Company, and finally became a partner in the firm of Howe & Polk, manufacturers of structural iron, in which business he was engaged at the time of his death.

As a business man his partners and all who knew him in business circles agree that he possessed especial talents, had keen discernment, was aggressive yet cautious withal, and by his strict integrity, agreeable and friendly manner and strong personality was able to obtain advantageous contracts and settle tangles and disputes which necessarily arise. He told me that his business had increased to such an extent that the last year his firm had made and disposed of \$1,000,000 worth of product.

During his residence in Danville POLK fell in love with the reigning belle of his town, Isabella, only daughter of I. X. Grier, and left her, with five young children, to survive him.

In the spring of 1898, when the United States declared war with Spain, POLK, with his associates in the National Guard, left his wife, family, and large, growing business interests and was mustered in as first lieutenant of Company F, Twelfth Regiment of Pennsylvania Volunteers, and served until his muster out and honorable discharge after peace was established.

Almost immediately after his return home from this service he was nominated and elected as a Democrat to represent the Seventeenth district of Pennsylvania, composed of the counties of Columbia, Montour, Northumberland, and Sullivan, in the Fifty-sixth Congress, and although that district was then represented by a Republican, his majority was nearly 2,000.

This was his first appearance in the political arena. Two years afterwards he was reelected to the Fifty-seventh Congress with an increased majority of nearly 1,500, so popular had he become, and he would have been renominated and elected to the Fifty-eighth Congress had he lived and not positively refused to run again on account of the exactions of his large and onerous business interests.

One evening he told me the reasons why he enlisted in the Spanish war and went to the front in spite of the fact that he left a wife and family of young children and large business interests which required his care and attention behind—a sacrifice which no man under such circumstances could reasonably have been called upon to make. The story was, as near as I can remember it, as follows:

"You see, GREEN, all my people in the civil war were what you Yankees called rebels. Every mother's son of them fought from start to finish the battles of the Confederacy, and were loyal sons of the South, where they lived when the outbreak occurred. They were generals and colonels and majors in that war. We were of fighting stock from Revolutionary times down, and until that time had always been loyal to the Stars and Stripes, and its patriotic supporters in the trying times when the Republic was formed. My greatgrandfather, Thomas Polk, of Mecklenburg County, N. C., was one of the organizers of the Mecklenburg Convention and one of the signers of the Mecklenburg declaration of independence. My grandfather was Col. William Polk.

"This medal which I wear is the badge of the Order of Cincinnati, founded by the officers of the American Revolutionary Army in 1773. No man can become a member of the order who is not a male descendant of an original member, and inherits it

under the law of primogeniture. I proved my right before I was admitted. Well, after the rebellion my brothers and I entered into a solemn agreement that should there ever be a war in which the United States was interested we would all enlist.

"So when war was declared with Spain my brothers and myself and many young cousins were mustered into the United States service and showed that we were loyal to our country and ever ready to sacrifice our lives in the defense of its honor and its flag. Our pledge has been so far kept, and we stand always ready to redeem it while life and strength shall last."

This little incident ennobled this man in my eyes, and I knew him well enough to be able to vouch for every word he had told me.

Is it any wonder that the people of his district, Northern men and loyal men though they were, nevertheless were ready to trust him with their interests in the great Legislature of this nation, with a firm conviction that their interests and the Republic's interests were intrusted to a loyal and patriotic man.

Representative POLK was an aristocrat in the fullest and best sense of the word.

The bluest blood of the Southern States flowed through his veins. Both on the paternal and maternal side his ancestors were gentlemen and gentlewomen to the manner born, and their position and standing among that old aristocracy was unquestioned. The men were ever men of action and fought in the front ranks of every field of progress. He inherited this spirit, and that brought him from the retirement of the Southern plantation to the fields of industrial action and enterprise in Pennsylvania. For this he refused a division of his father's property and sought new fields for his energies. This furnishes a ready explanation why he succeeded and prospered before he had reached his thirty-sixth year.

While he loved his ancestors and the history and traditions of his family, he was a thorough Democrat, for he believed that—

Kind hearts are more than coronets,  
And simple faith than Norman blood.

The doctrine of humanity was deeply graven on his heart, and he believed in that the greatest of all commandments, "Love one another." He practiced the golden rule and did unto others as he would be done by. No creed bound his faith or circumscribed his duty to his fellow-man. He has made the world the better for his having lived, and added to the happiness of others, from the highest to the lowliest, who came within the influence of his sympathetic and generous life. Living, he did many generous deeds which his closest friends will never know; and, dying, he leaves to them pleasant memories of cherished associations; to his wife and children a name and a heritage of which they may justly be proud, and to the people he represented an honorable and untarnished reputation.

But a few short weeks ago the slender figure and manly presence of the young statesman of the Seventeenth district of Pennsylvania was in our midst. His sunny smile and cheerful greeting met us on every side. He left us in the strength of manhood's prime never to return.

As I sit, in the silence of the midnight hour, in his favorite chair and my thoughts wander and dwell upon him these oft-repeated lines of the Rubaiyat haunt my memory:

'Tis but a tent where takes his one day's rest  
A sultan to the realm of death address;  
The sultan rises and the dark Ferraish  
Strikes and prepares it for another guest.

Mr. BATES. Mr. Speaker, early death excites commiseration, particularly when the object of some special usefulness is thereby taken. The fate of youthful Marcellus—untimely cut off—called forth the most graceful strains of Virgil, and moved to fervor—that has become historic—the family of the imperial household of Augustus.

Some few years ago a young business man of Pennsylvania, in conversation with Governor Nash, of Ohio, used these words: "I come," he said, "from a Southern State and family whose representatives joined and fought with the South in the civil war. I believe, however, in maintaining right relations with all with whom I come in contact. I live in Pennsylvania, and have a brother who lives in Tennessee. We have made a compact and taken a vow together that if ever an opportunity comes that we can draw a sword or shoulder a musket in behalf of the United States Government under the old flag we will engage in that cause to the fullest extent and with our utmost devotion."

It was only a few months until that opportunity came in the war with Spain. That Southern brother proved his mettle and narrowly escaped with his life, having received the most terrible injuries, and the young man from Pennsylvania at the head of his company marched away, willing to give his service, and his life if need be, for the common cause of his country, to emphasize the devotion that he in common with all his people felt for the



flag and what it represented. The name of this young man was RUFUS K. POLK, one of the distinguished family which bears that name in Tennessee. He came to Pennsylvania and engaged in business and lived in that State which claimed him and now claims him as her own. It is he whom we mourn to-day.

More than that, when the time came to decide whether he should go, he called his business associates and partners about him and said, "You do not want me to go; you may think I can not go; but I am going, and every man in my company who works in our mills is going without let or hindrance; more than that, every Saturday night while we are gone there is to be sent to the wife, the mother, or the family of each man who goes with me the full week's wages, just as if they were here. These are things I insist on—there need be no discussion. I am going. Good-bye." And this request was considered a sacred one, so that his business associates saw that it was honored and fulfilled.

We can refer to this because it emphasizes and brings out in this young man one of the most admirable traits in human character—patriotism, love of country, and devotion to principles in which he fully believed. We can speak of this because this side of his nature was one which became most prominent in the latter days of his life and one which commends his memory to the love and esteem of not only his immediate family and friends, but all with whom he came in contact and who hear the story of his short but patriotic life.

Any man who carries on a business at home and attends to the arduous duties often imposed on members of Congress lives a strenuous life indeed. Is it any wonder that the mortality among the membership of the last, the Fifty-sixth, Congress was greater in proportion than all our soldiers who fell in the war with Spain? It is this modern materialistic tendency on the part of our American people that makes the "strenuous life." It is the life of toil and effort, the life of labor and of strife, the life which does not shrink from hardship, from toil, from danger even, and who out of these wins splendid ultimate triumph—The life which thanks God for the iron in the blood of our fathers, for the men who upheld the wisdom of Lincoln and bore the sword or rifle in the armies of Grant.

We seem to have adopted as a national motto that no country may long endure if its foundations are not laid deep in the material prosperity which comes from thrift, from business energy and enterprise, and from hard unsparing efforts in the field of industrial activity. We pay due honor to the architects of our material prosperity, to the captains of industry who have built our factories and our railroads. This spirit has made it possible to take into our domain islands of the sea, to enter into a closer struggle for naval and commercial supremacy, to build up our power within our own borders, and to grasp the vantage points which will enable us to have our own say in deciding the destiny of the oceans of the East and West. It was this spirit, this indomitable energy, which possessed the life and soul of our young friend who has so lately fallen in the battle of life. I count him one of the martyrs to that spirit of restless energy which has lately possessed the soul of so many Americans, and while many splendid achievements have ensued it has been at great cost, even at the cost of life itself.

With apparent health and strength, with prosperity and abundance in his pathway, with the highest honors his people could bestow showered upon him, with the love and affection of wife and children—those to whom he was dearer than life itself—it seemed as though an honorable and useful career was marked out for him. But "Man's ways are not God's ways, and His purposes are past finding out."

The summons came from on high, and we are again called upon to contemplate the saddest, the strangest, the most inscrutable event in all this riddle of human life—death. As we utter these words our hearts go out in tenderest and deepest sympathy to those who mourn his loss so much in the old home.

In his departure this House has lost a valuable, upright, and energetic member, his State a true representative, his country a devoted patriot, his family a loving husband, father, and son.

Mr. RICHARDSON of Alabama. Mr. Speaker, were I to speak from a personal acquaintance with the deceased whose memory this memorial service is held to commemorate I could indeed say but little.

The first time I met Mr. POLK was in the closing session of the Fifty-sixth Congress. Yet we did not meet as strangers meet. Each of us knew the close ties of friendship and intimacy that had bound our respective families together for more than two generations past. I knew from what people he sprung, and I found him what I had good reason to expect him to be—a splendid type of manhood.

I can, with becoming propriety, refer to my personal acquaintance with Mr. POLK's mother—the friend of my youth—a granddaughter of James Jackson, whose residence, "The Forks," in the

vicinity of Florence, Ala., was famous in the palmiest and most glorious days of the South for its princely hospitality. The name and memory of its owner is to-day honored and cherished by those people as a household word, and his descendants are true representatives of the highest Southern sentiment and culture.

If there is anything, Mr. Speaker, in birth, our deceased friend had all of its advantages. In his ancestry on both his father's and his mother's side he had the greatest cause to be proud, for the South held them as among the most honored and distinguished of all its honorable people. That Mr. POLK was modest, unassuming, and of retiring manners was but natural, and readily noticed by the most casual observer. His career is significant and bears a lesson that is not often given under the conditions that surrounded him. Born among the most cultured people of the South, at the conclusion of the great civil war between the States of the Union, it might be truly said that the strong passions and bitter prejudices that swept the sections of the country that opposed each other in that eventful struggle had subsided before Mr. POLK reached his majority. Hence his marked course in life was not guided or influenced by sectional feelings.

He was educated at a Northern university. The associations of his young manhood, his college ties, which cling so tenderly to one's memory and are cherished so dearly by the heart, were cast and formed in the great State of Pennsylvania.

The crowning joy of a man's life, the love of a true and noble woman, a native Pennsylvanian, brought to him its blessed tribute of a happy and contented home. Yet, 'midst all these endearing scenes he honored and loved the traditions and memories of the people of his native section.

Stricken by the hand of death ere he had reached the prime of manhood, yet he lived long enough to demonstrate to his countrymen that in private and public life he was preeminently a practical man and a wise and safe counselor. That he was conscientious in the discharge of all of the duties allotted to him was deeply impressed upon me in a conversation I had with him on the floor of the House but a few days before his death, in which he told me that the demands of his growing private interests were such that he could not give the attention that he desired to the interests of his constituents, and that at the close of this Congress he would retire from public life. Reared as Mr. POLK was he could but be a broad-minded, liberal, and patriotic man in all his views. He ardently loved the institutions of his country and gloried in everything that gave renown and honor to our Government. At the beginning of the Spanish-American war he enlisted in the Twelfth Pennsylvania Regiment of Volunteers, and served with credit and honor to himself.

It can well and truly be said of him that private business with increasing profits was not so engrossing to him as to silence the voice of patriotism. He was ready to lay his life on the altar of his country. No nobler and braver sacrifice can a man make than this. Rarely does it fall to the lot of man to achieve, as Mr. POLK did at his age, combined success in private business matters and in public life. In the private and public affairs of the life of a man we are prone to judge him by the results. Under the application of this just and fair rule, RUFUS K. POLK leaves as a heritage to his stricken family, loyal and admiring friends, an enviable and honored record—a record worthy of emulation. He made his home among a people who but a few years before had met on bloody battlefields the brave men of the section where Mr. POLK was born and where his kindred lived.

Yet, by the purity, frankness, and honesty of his own personal efforts and conduct, he achieved a success and prosperity in business matters that stamped him as a man of great strength of character and ability. It was unerring judgment and strong common sense that controlled his actions and governed his life. It was his high love of justice and truth, his scorn of hypocrisy and deceit, that secured for him the confidence and respect of his fellow-man. And again, when we scan his remarkable career we find him twice called from his private life and triumphantly elected by these same people to the distinguished honor of representing them on the floor of this House. I dare say, Mr. Speaker, no man could have achieved such a success without possessing to an eminent degree the noblest virtues of life. He must certainly have been generous, kind, thoughtful, charitable, and considerate.

It was my sad duty to attend his funeral services at Danville, in the State of Pennsylvania. The tribute paid on that mournful occasion to his memory by the people among whom he lived was simply inspiring. It was a wonderful expression of the love of a people for a faithful public servant, a generous friend, and a noble, kind man in all the walks of life. No man could have witnessed that scene, could have beheld the immense crowd of people from all the walks of life that gathered on that inclement day to do honor to his memory and remained unmoved in tears and sympathy. I was impressed, Mr. Speaker, by that scene with the comforting assurance that so long as the people of our country generously and willingly pay such honor and reverence to the

memory of a public servant we can safely rely on the growth and strength of our republican institutions.

[Mr. CLAYTON addressed the House. See Appendix.]

Mr. BELLAMY. Mr. Speaker, the custom existing in the American Congress of paying tribute to the memory of a deceased member is one which has long continued, as it has ever appealed to the noblest instincts of the mind and heart.

In the association which is brought about in the discharge of common duties, which are performed with a unity of feeling and a patriotic purpose, friendships naturally arise which last through life and are ever cherished with deep devotion.

Death is the saddest of life incidents. It is ever mysterious; it is always inexorable; it is certain, and whether it occurs on the tented field, in the legislative hall, in the forum, or the workshop, it exacts reverence and awe from the most callous heart. And when it overtakes and cuts down in the meridian of a bright manhood and terminates the useful and honored career of a friend it becomes the sad but cheerful duty of his companions to chronicle the events of that life and thereby perpetuate his memory. And so to-day "death's dishonorable victory we with our stately presence glorify." I knew our deceased friend so well that it bordered close to intimacy. He frequently communicated to me his hopes and his aspirations, and I never knew a soul of loftier sentiments.

Among the first acquaintances made by your speaker when he became a member of the Fifty-sixth Congress was our lamented friend, RUFUS KING POLK. He being a member of the North Carolina chapter of the Order of Cincinnati, from which State came his ancestry and where lived many of his kindred, he naturally felt an interest in that State, and in that way sought the companionship and gained the friendship of some of its members. His career is much to be admired. Sprung from an honorable ancestry, prominent alike in Revolutionary days as well as in our Union afterwards, he inherited much of the culture and refinement, much of the courage and patriotism, much of the modesty and gentleness that is so characteristic of his people.

Born at the close of the late civil war, he was early impressed by the scenes and incidents of

The land where the ruins are spread  
And the living tread light on the hearts of the dead.

He grew up taught to cherish with sacred pride the acts of heroism and the deeds of daring of the Confederate soldier, but to accept in good faith and as forever settled the causes which brought about a fratricidal war.

Like most Southern families whose fortunes were either entirely swept away or shattered by the great conflict, our friend, by the sacrifices of his family, was enabled to obtain an education at Lehigh University, and immediately thereafter sought employment in the State of Pennsylvania, where he soon secured the confidence and respect of his employers; and afterwards became a joint owner in the large structural iron business. His success in his new home was rapid. It was due to his earnest nature, his indomitable energy, his fidelity to principle, and his unswerving integrity of character.

While he became thoroughly identified with the social and financial spirit of his new home and affected by its environments, he never forgot the traditions, the recollections, and the experiences of his native Southland. He loved to refer to its past history and to its great future possibilities, and heard with eagerness the narration of its wonderful development. He was intensely patriotic in every fiber of his being; he loved his whole country and fondly boasted of its achievements; and no man hailed with greater pleasure the arrival of the era of good feeling between the sections, and the obliteration of the last vestige of sectional bitterness than did he, and was wont to say that he believed that the Union was now more harmonious than it had ever been before since its origin.

When the war against Spain was declared he was among the first to volunteer and offer his services to his country, and he was eager for his command to proceed "to win renown, even in the jaws of danger and of death." But by the decrees of fate he was denied the privilege of active service in Cuba, and was mustered out at the end of the war holding the commission of a first lieutenant.

In 1898 he was nominated for Congress in the Seventeenth Pennsylvania district. During the campaign his opponents, to counteract his personal popularity, urged against him the fact that he was the son of Lucius Polk, a Confederate general, and that he flaunted his father's record in the face of Pennsylvanians by keeping his father's uniform on exhibition at his home. Our friend on the stump admitted the soft impeachment; he declared he was proud to say he was the son of General Polk, and he cherished his memory, and preserved his uniform as a priceless heritage for his children. The people of his district, admiring courage and character, recognizing the war as over, and taking an equal pride

in the valor of the followers of Lee and Jackson with that of the followers of Grant and Sheridan, as contributing to the common glory of the American name, applauded this bold avowal of his veneration for his father and his distinguished career, and it won for him the admiration of all classes, and he was triumphantly elected in a Republican district.

RUFUS KING POLK was a courageous man. The blood and courage that renowned his forbears ran in his veins. His father was a Sempronius; his mother a Cornelia.

He was a modest man. And while he never intruded his opinion on others, yet when occasion demanded him to speak he never faltered in giving expression to his sentiments.

He was an honest man. His sincerity and his rectitude of purpose pervaded all his actions, whether in social or business life. And the moral beauty of his character is a source of pride to his friends and family.

Cut down in his early manhood, he has left behind him a reputation as an honest citizen, a patriotic and chivalrous Christian gentleman, and has added to the glory of a name already honored in the nation's annals.

Among the Mohammedan legends there is a bridge which extends from this world across the dark and unfathomable abyss of chaos and hell to the shores of paradise. The structure is so attenuated and difficult of passage over this dreadful chasm without danger of being engulfed in the inextricable abyss below that the souls of mortals are only permitted to cross over with an ease proportioned to their virtues while living. That the soul of our friend has safely crossed the Al-Sirat and now rests in paradise we are assured by reason of the many virtues he possessed and displayed in his intercourse with his fellow-man while living.

But our friend has gone. May we so live that we may meet again in the great hereafter, where sorrows are unknown and joys are eternal.

Mr. STARK. Mr. Speaker, if a stranger had come into the city of Danville, Pa., on Saturday, March 8, 1902, his attention would have at once been called to the fact that something out of the ordinary was taking place. He would have noted that there were an unusual number of people in the streets; that there were teams hitched at all of the racks; that there was an expression of sorrow upon the faces of those he met. All places of business were closed, and the insignia of mourning was on every hand.

During the forenoon there passed through the streets, in solemn and orderly procession, the employees of the Structural Tubing Works, also of Howe & Polk, and of other manufacturing concerns of the city, all marching to a residence where, just inside of a window, lay the remains of a man.

There was a profusion of flowers over the casket, some of the floral emblems showing the skill of the professional florist; others showed that the hands that prepared them were moved thus to testify to their affection and respect.

As the grim, stern men turned away from the bier their look and manner indicated that they were mourners at heart. After a time the house filled and the streets were crowded with people. A short service was conducted and the procession started for the last resting place—long and imposing in the number of carriages, touching in the orderly march of the great number of workmen through the mud and the slush. The last sad office was performed by eight stalwart employees of Howe & Polk, who as pallbearers laid him away in his last resting place.

The stranger would have inquired, What of this man that he should receive such honor and so much genuine grief be shown? The reply would have been that the dead, when in life, was Congressman RUFUS K. POLK; that he was born down in the "Old Volunteer State" in 1866; that he had an ambition, and to carry out his plans worked his way through the Lehigh University, taking a post-graduate course in mining engineering.

Then he came to Danville, laid away his cap and gown, put on the garb of a workman, and went to work in the mills for \$1.25 a day. He had prepared his brain by study; now he was to educate his hands. He had determined to master the business from all sides. Soon he was chemist for the Montour Iron and Steel Company; then passed to the charge of the furnaces of the Hocking Valley Coal and Iron Company; then general manager for the North Branch Steel Company, which position he held for seven years. His fellow-workmen told with pride that Mr. POLK could do a good day's work in any department of that great concern.

He had keen business discernment, coupled with practical knowledge. He invented a plan for the manufacture of structural tubing and then became a member of the firm of Howe & Polk.

He was intensely patriotic, being one of the first to follow the colors as first lieutenant of Company F, Twelfth Regiment Pennsylvania Volunteers, in the Spanish-American war, and, while making a splendid record as a soldier, found time to keep in touch with every detail of the work of his firm.



The people insisted that he should represent them in Congress, to which position he was elected and reelected. Last winter he gave out an address stating that he would not accept a nomination; that his desire was to return to his work.

Our stranger must have concluded, with this knowledge of the facts, that the lesson he learned from the life of RUFUS K. POLK was to be thoroughly fit for the struggle of life, to be persistent and to keep in touch with the ideals of the people.

I have noted that there is a general idea which is prevalent among men that a college degree is a testimonial that the possessor is partly educated. The ordinary graduate is a helpless sort of a being; he knows about books, but is an untried man on practical lines.

Books are the most useful tools in the world, when well selected and the reader constantly keeps in mind that they express another's observations and ideas. In this time one must be educated by his own observations; he must be able to handle every detail; he must work; he must do things; he must be constructive; he must be affirmative, self-reliant, and not dependent upon others.

Such a man was Mr. POLK. But he made the common American mistake. He put in too many hours at work and took too little time for recreation and rest.

It came home to me as I stood by his grave that his grief-stricken widow and children, his aged mother, and his brothers would have gladly given up the fortune he had amassed, the honors that had come to him, if he could return to them and start over again with the dinner pail and the working clothes. His life, his death, fully evidences that a man can only do a certain amount in this life with safety to himself. When the limit is overstepped, nature demands the penalty.

It was my good fortune to serve with him on committees during his service in Congress. I found him to be an able man, possessed of as kindly a disposition as any man I ever met. The tribute paid to him by the Morning News, published in his home city, is truthful and merited, and shows the great true-loving life as known to his family, friends, and neighbors:

Thus passes away one who has made the world better for having lived, in that he added to the happiness of others. Of him it may truly be said that in all his dealings with others he was uninfluenced by caste, by social, political, or religious distinctions, while his natural courtesy, his kind, tolerant disposition, his sympathy for the unfortunate, his open-handed generosity, his fair dealing, and his inflexible honesty, made him a prince among men; a strong and gracious personality, whose impression will remain long after the sod grows green above his grave.

MR. PADGETT. Mr. Speaker, to-day we assemble to pay a just tribute of respect to the memory of an associate and collaborer who has fallen in the great conflict. Were we to consult our feelings we would stand in reverent silence, for we realize that upon an occasion of this character words are inadequate fully to express our deep sense of sorrow over the untimely death of our deceased friend or to convey an adequate expression of our high appreciation of his worth as a man, his merit as a citizen, and his usefulness as a legislator.

RUFUS KING POLK was born in Maury County, Tenn., August 23, 1866, of noble parentage. His ancestors were of Scotch-Irish descent, and in the early history of our country settled in the State of Pennsylvania. We are informed that about the middle of the eighteenth century they removed to the State of North Carolina, and in that State they became identified in a marked degree with the best thought and life of the country and contributed materially to the development and upbuilding of the country. They were associated with and contributed much to the betterment of the social conditions of that State and to its growth and progress.

In the early part of the nineteenth century some of the family removed to middle Tennessee and located in Maury County, Tenn.

True to the traditions and past history of the family, and moved by the same noble and generous impulses which had characterized the family, they at once became identified with the best thought, the best purpose, and the best life in their new home and began to contribute to its progress and development. Every one who reads the early history of Tennessee in its social, material, and political phases will find the impress thereon of the Polk family—an impress full of encouragement, worthy of preservation, and an inspiration to noble living.

Our departed friend was not unfaithful to the traditions of his family nor a stranger to their virtues.

He attended, in his boyhood days, the common schools of the country, and when about 17 years of age entered Lehigh University, in the State of Pennsylvania. After finishing the course of study he took a post-graduate course in mining engineering. After finishing his studies in the school, he came face to face with life's work. He was Southern born, and reared in the best social life and surroundings of Southern society. He loved the Southland and its cherished institutions. He had a profound respect and love for the people of his native South, but his training and education fitted him for work in another field, and he

cast his lot and life among the people of the great State of Pennsylvania, where he might find suitable employment for his talent. Coming among these people, he did not surrender his love or veneration for his Southern home, nor was it necessary or proper that he should do so. His love for his native land only fitted him the better to love and cherish the people and the country of his adoption.

He had only returned to the land of his forefathers, and in this incident we have an illustration of the oneness of our country and the unity of our people.

The seventeen years of his home life in Pennsylvania as he came and went among her people, and touched elbows with his associates and clasped hands with his friends, and drew to himself their love, their confidence and esteem, and himself shared his own life and love in their homes and around their hearthstones, demonstrate his character and proved his worth as a man, and, more than this, they bring to us a better realization of the truth, in object lesson, that no sectional lines confine friendships or banish love.

His election to Congress and the circumstances attending it vividly testify to the confidence and esteem of his people, and the multitude beside his bier, listening to hear the last sad requiem, and the throng at the open grave tell their love.

Mr. Speaker, our departed comrade was a man of many virtues and of much excellence. He was a man of energy and industry, and the practice of these virtues secured for him much of this world's goods in the few years of his business career. Prosperity crowned his business efforts. He was strictly honest in his business transactions and honorable in his dealings with men. He was a man of integrity, of character and purpose. He was broad-minded and warm-hearted. He conceived generous thoughts and executed them with liberal charity, and at his home town many there are who know of his love by his charitable deeds.

He did not suffer a narrow circle to circumscribe his thoughts, nor permit a narrow view to limit his vision of life, its duty, and its work. He was, with it all, unostentatious and unassuming; gentle in his manners, but firm in his convictions; suave in his demeanor, yet positive in his purpose. These qualities made us love him, for we believe that he loved mankind.

Our friend has departed. Almost in the twinkle of an eye he left us. In the very prime of manhood, in the midst of his hopes, expectations, aspirations, and honors, he has fallen. Verily, "in the midst of life we are in death." These things we can not comprehend. The mysteries of death we can not fathom. But this we believe: Wherever the true, the noble, and the good shall be found there we shall find him. To us it is a comfort to have labored with him. We are glad to count him among our friends. The memory of his virtues we shall preserve and cherish, and we shall endeavor to make the aspirations of his life an inspiration to our own.

We shall not contemplate his death as the end. Except the seed perish, the plant shall not grow and flower. Except the acorn die, the oak can not be the monarch of the forest. Through the chambers of seeming death lies the path to the larger, richer, and better life.

[Mr. GRIGGS addressed the House. See Appendix.]

MR. BELMONT. Mr. Speaker, truly "in the midst of life we are in death." Here in this Hall we were accustomed to see RUFUS KING POLK day by day as he did his part in the work of this great body. Giving no hint of approaching dissolution, no sign of failing powers, young, strong, vigorous, virile, he went in and out among us, and if one had been asked to pick out among us all him who seemed the most unlikely to be the next victim of the Grim Reaper's scythe many of us would have pointed to Mr. POLK. Stricken down without warning almost at the very threshold of his active, manly life, the shock of his sudden death was to us, his friends, intensified. Painful as would have been such tidings even though he had lain on a bed of sickness for many weeks with the inevitable end clearly foreseen, the news would not have come to us with such startling force, with such blighting intensity. Like a bolt out of a clear sky came the announcement of his death, and at first it seemed to us who knew him well impossible of belief. Death is always sad, whether it comes to the young or to the aged; but when the visitation falls upon the strong man, "rejoicing as a giant to run his course," full of confidence in his own strength, we stand appalled.

Mr. Speaker, in a few short, pithy sentences in the Congressional Directory we find embodied the story of his life. Born in Maury County, Tenn., in 1866; educated at Webb's Academy in Culleoka, Tenn., and at Lehigh University in the State which during the short remainder of his life he was to make his home; graduating as mining engineer; serving his country as first lieutenant in Company F of the Twelfth Regiment Pennsylvania Volunteer Infantry during the Spanish war; a successful business

man; delegate to the national convention of his party in 1900; a member of the Fifty-sixth and of the present Congresses. Is not this a record of successful achievement of which any man might be proud? And yet when he died he was still less than 36 years of age—just one-half of the allotted span of human life had been run, but he had made for himself a name, he had gained the devoted love and loyalty of a great circle of friends, and he had won the admiration and esteem of all on this floor with whom he had come in contact.

Mr. POLK, when he went from Tennessee to Pennsylvania, was absolutely without means, and he was compelled to borrow most of the money he needed to carry him through college. Every cent of this indebtedness he afterwards repaid out of his wages as a laborer in the iron mills of his adopted State. He began work in these mills at \$1.25 a day, and by his diligence, ability, and devotion to duty he rose to the position of manager and partner in the iron mills at Danville. At the time of his death he was also interested in several other large iron industries. These facts show the man's business ability. But he had greater qualities than the mere ability to make money; he was manly, self-reliant, faithful, considerate, absolutely loyal to his friends, and essentially fair-minded. By his own unaided energy, integrity, and self-reliance he advanced step by step until he had attained to the proud position of a Representative in the Congress of the United States.

He has gone from us, leaving to mourn his loss a loving and devoted wife and four young children. May his life and his example be to them and to us alike an encouragement and an inspiration to higher things.

#### EULOGIES ON THE LATE SENATOR KYLE.

Mr. BURKE of South Dakota. Mr. Speaker, I call up the special order for this hour, and offer the resolutions which I send to the desk.

The SPEAKER pro tempore. The gentleman from South Dakota offers a resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That it is with deep regret and profound sorrow that the House of Representatives hears the announcement of the death of Hon. JAMES HENDERSON KYLE, late a Senator from the State of South Dakota.

*Resolved*, That the House extends to his family and to the people of the State of South Dakota sincere condolence in their bereavement.

*Resolved*, That as a mark of respect to the memory of the deceased, the business of the House be now suspended, to enable his associates to pay fitting tribute to his high character and distinguished services.

*Resolved*, That the Clerk transmit to the family of the deceased and to the governor of the State of South Dakota a copy of these resolutions with the action of the House thereon.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That, as an additional mark of respect, at the conclusion of these exercises, the House do adjourn.

Mr. BURKE of South Dakota. Mr. Speaker, little did I realize or imagine when elected to the present Congress that before the expiration of my term death would enter our delegation and remove one of our respected and esteemed members, and yet within a few months Senator KYLE, apparently in good health and comparatively a young man, was suddenly stricken with a severe illness of brief duration, which terminated fatally, and he was taken from us, and we were called upon to mourn his loss, his death occurring in Aberdeen, S. Dak., July 1, 1901.

His unexpected and untimely death only illustrates the great uncertainty of life, and is another manifestation of the will of a divine providence, to which we must all submit, realizing that His will is supreme and His way is best.

This being the occasion set aside for the purpose of paying tribute to our departed and distinguished Senator, in the time allotted to me it will be proper to briefly refer to his history and record in the Senate of the United States, and say a few words appropriate to the occasion.

JAMES HENDERSON KYLE was born in the State of Ohio, February 24, 1854, and therefore at the time of his death was but 47 years of age. He moved with his parents to Illinois, where he received his early education, attending for a time the State University of that State, where he took a course in civil engineering. In 1873 he returned to Ohio and entered Oberlin College, taking a classical course, graduating in 1878. He at first determined to take up the profession of the law, and spent some time in taking a law course, but later changed his mind and decided to enter the ministry, and he attended the Western Theological Seminary, from which he graduated in 1882. He began his career as a minister in the State of Utah, and for a time was connected with a seminary at Mount Pleasant, in that State. From Utah he moved to Crested Butte, Colo., where he assumed charge of a church and remained until 1885, when he went to the then Territory of Dakota and located at Ipswich, where he remained until 1889, and removed to Aberdeen, where he became pastor of the Plymouth Congregational Church, and was pastor of this church when elected to the State senate in 1890.

At the time he was nominated as State senator, in addition to

his ministerial duties, he was acting as financial secretary of the Congregational College at Yankton, S. Dak., which made it necessary for him to be away from home a greater part of the time, and he therefore gave but little, if any, attention to his political interests and was apparently indifferent to his election. He was, however, elected and took his seat in the State senate when the legislature convened in January, 1891, affiliating with what was then known as the Independent party. There were several candidates for United States Senator, resulting in a very bitter contest lasting for several weeks. Finally a compromise was effected, and the name of Mr. KYLE was proposed, and in a very short time he was elected to the Senate to succeed the Hon. Gideon C. Moody. He entered the Senate March 4, 1891, and at once interested himself in legislation for the benefit and advancement of his immediate constituency and began his record which marked him as a capable, industrious servant of the people, generally commanding the respect of his colleagues.

In 1893 he was a candidate to succeed himself. His party was successful in electing a majority of the legislature, but there were several candidates for the Senatorship, which developed a strong and heated contest that continued for many weeks, and it ultimately became apparent that Senator KYLE could not be reelected by the majority party, and that possibly there would be no election and the State would suffer the loss of having but one representative in the upper branch of Congress. Rather than have this happen, and realizing and recognizing in Senator KYLE a man upon whom the State could depend to faithfully represent its interests, and that he would ever be true and loyal to his country, the Republican minority came to his support, and with the votes of a few of his personal friends of the majority he was successful and again elected to the Senate.

It was at this time that I became intimately acquainted with him, being then a member of the legislature, and I want to take occasion at this time to say that I was personally in a position to know all that occurred in connection with his last election to the Senate, and that nothing transpired leading up to the Republicans in the legislature giving their support to Senator KYLE that was not strictly honorable, and he in no manner compromised himself and was as free to act and express himself as if he had been elected by the party with whom he was affiliating, and it was on account of his independence and manly position, as expressed by him at that time, that I formed a respect and regard for him which resulted in a warm personal friendship between us, and I considered him as one of my intimate friends, and I deeply deplore his death and mourn his loss as one friend mourns for another.

During Senator KYLE's service in the Senate he was a tireless worker, especially in the interests of his own State, which he dearly loved and for which he accomplished much. He occupied the position of chairman of the Committee on Education and Labor, and always favored any legislation benefiting the laboring classes, and was ever on the alert to advance and promote the laboring interests. It was largely due to his efforts that Labor Day was made a national holiday, and it was he who was the author of the bill and the originator of the idea. He also introduced the bill, which subsequently became a law, creating the Industrial Commission, of which he was chairman, and the work done by that Commission was very largely under his direct supervision, and the number of reports is an evidence of what the Commission accomplished, and the reports contain much valuable information in the way of data and statistics that are now and will be in the future of great value to the country.

Senator KYLE took especial interest in legislation for the benefit of the civilization, education, and advancement of the Indians, and was a member of the Senate Committee on Indian Affairs. He was devoted to the cause of the old soldiers of the country, and as a member of the Committee on Pensions accomplished much in securing the passage of many meritorious private pension bills and securing general favorable pension legislation.

Senator KYLE was not a strong partisan, though pronounced and firm in his convictions, and in his public as well as private life always aimed to be upon the side that his conscience and judgment prompted him was right, and I do not think he was ever challenged or accused of throwing his influence or using his position to promote or advance his own personal or selfish interest, but was invariably, as before stated, found standing for and advocating what seemed to him to be the right.

He was devoted to his country, and during the trying times leading up to the Spanish-American war and its continuance he arose above partisanship, and his vote and influence in the Senate were ever with the Administration, which in his opinion represented American statesmanship and patriotism, and his loyalty to his country was greater than what might be called duty to his party. He did not change from this position in relation to the many questions and problems which arose as a result of the war, but continued to stand with the Administration on all these questions.



He had a very high sense of honor, was extremely conscientious, was devoted to duty, and his integrity was supreme. It was always his ambition to do that which seemed best for his State and the country. Personally he was extremely generous and kind, and invariably responded cheerfully and willingly when called upon to assist a friend or aid one in distress. If he had a weakness it was that he could not refuse the request of a friend.

His death is a great loss to the State of South Dakota, and he is mourned by all who knew him, without regard to politics. He will long be remembered for what he accomplished in his public career, and for his many acts of kindness extended to those who called upon him for assistance, and although he is no longer with us in life his memory will long be cherished by the people of his State and his friends throughout the country.

He was possessed of a noble character, generous to a fault, unselfish, and ever striving to do good for his country and his fellow-men. It may be well and truly said that he was a statesman, a loyal citizen, a good neighbor, a devoted husband and father, and a true Christian man.

Mr. DE ARMOND. Mr. Speaker, most of those who enter Congress come from the profession of the law or of medicine, the bank counter, the business world, or the farm. JAMES H. KYLE came to the Senate from the clerical profession, and was one of a few from that class who served in Congress during the time of his incumbency. Many times, no doubt, in following his calling as a clergyman he had occasion to speak feelingly and soothingly over the remains of the dead. Many times, no doubt, in his ministry he dwelt upon the virtues of the departed, gave consolation to the stricken, and drew a moral for the benefit and guidance of all. And of him, as one numbered with the dead, we speak to-day.

Pursuing his duties as a clergyman in the agitating time and political upheaval of 1890, he was caught in the sweep of the reform movement that passed over the West, touched with the general dissatisfaction with conditions then existing, and thrilled with the general desire for a change. New to the political field, he very naturally became as enthusiastic upon the questions then agitating the masses as his temperament and his calling would permit. Elected to the State senate, he served but a short time, when, at the end of a bitter contest, he was taken up and elected to the United States Senate.

It happened during a portion of his service here that I was quartered in the same house at which he also lodged, and naturally we became quite well acquainted, and naturally, too, we and others, of similar minds upon many of the political questions of the day, often talked over the issues and the prospects. At that time Senator KYLE was full of the sentiments which animated and directed the course of those who had placed him in office. He was full of the reform movement of the day, full of the belief that legislation had been turned into the wrong channels, that the many had not derived from lawmakers and laws and the executors of the laws the benefits and security justly due them, and that something ought to be done to change the general course—the lawmakers should look to and strive to promote and protect the interests of the many to a greater extent, and the interests of the few to a lesser extent.

That Senator KYLE was an amiable man, kindly disposed, and of generous impulses, I think all who knew him can truthfully testify. He was not aggressive nor obtrusive. He had that amiable disposition, was of that well-balanced and placid temperament which always go with regard for the feelings, opinions, and interests of others. He never pushed, in an aggressive way or in an offensive manner, his own opinions or projects. He passed through his Senatorial service in a quiet and unostentatious, undemonstrative way, at a time when there was a good deal of turmoil and a good deal of feeling in the political world.

As his first Senatorial term approached its close, and the time came for the election of his successor, those who knew his sentiments and feelings and his course here were hopeful that he might be returned. I recollect talking with him upon the eve of departure for the West, for the contest which, before his return, would be settled; for before he would be with us here again it would be known whether he would come as the Senator-elect or as the defeated aspirant for the Senatorial succession. It was known that the party with which he affiliated had a small majority in the legislature of his State, and the only question seemed to his friends here to be whether that majority party would unite upon him, or whether some other member of his party would be successful in getting its support. It was found that the Senator's party was not for him. His party wished him to retire that it might honor another with the Senatorship.

Again a bitter contest ensued. Again a deadlock occurred, and finally, after much balloting and many conferences, and a great struggle, Senator KYLE was reelected, as was stated by the eloquent gentleman from South Dakota [Mr. BURKE], by a few

votes of his own party and the solid vote of the opposition party. He won—his party was defeated.

Naturally, when he came back, it was appreciated by those with whom he had been associated politically that a change had taken place in his relations to political parties, and that probably a change would take place in his relations to political questions. So, no surprise was expressed when, later on, he became affiliated with the majority party in Congress, the Republican party, which he had first opposed, but which in his second election had returned him to the Senate.

I do not think there was any harsh criticism of him; certainly not here. I know not how it was in the State in which he dwelt. It is not for me, or for anyone, recklessly, to say that his change of sentiment did not correspond and entirely keep pace with his change of party. He was educated at Oberlin. Republicanism was deeply instilled into him in his youth. He went to Dakota no doubt an intense Republican. A movement for reform which swept over the country carried him from the party of his fathers, from the party of his earlier devotions, into another, and it is not so remarkable that under changed circumstances he again became fast in the faith which was his early faith, and turned from the course which for a time he had followed.

He was a kindly man, of generous impulses and blameless private life. No feelings except kindly feelings can be entertained of him personally by those who knew him here. He has passed off the stage, gone in the prime of life, gone with the largest portion of the strongest years of life, in the ordinary course, cut off.

To be a Senator of the United States is a great honor. To have the esteem and veneration of the people who elect Senators is something to strive for and to be proud of. If one retain that esteem and veneration after the Senatorial office is gone until life itself is gone, his memory becomes a rich legacy.

As one who knew Senator KYLE, and whose relations with him were pleasant and kindly, as one who esteemed him for his virtues in private life and who has no judgment to pass upon his political faults or failings—no one is perfect—I lay my tribute of personal respect upon his bier.

Mr. MARSHALL. Mr. Speaker, it was not my pleasure or profit to have known JAMES HENDERSON KYLE well in the sense of having met him often, or to have spent any considerable time with him. On the contrary, although we were near neighbors, but little opportunity was offered to know him through the ordinary means by which men know each other, and I must therefore leave to others the office of speaking of him from the standpoint of close acquaintanceship, and others can better give the particulars of his birth, education, and life.

But we may know a man well and divine his character through the medium of a multitude of mutual friends, and thus view him through an atmosphere that neither magnifies, reduces, or refracts. The true likeness of a man in active public life is reflected as in a mirror from the people among whom he lived and labored.

For over a year it was my pleasure to spend the greater part of my time among the people who knew Senator KYLE best and came in close contact with his home constituents, and there was thrown on my mind and heart a composite picture of the man which I shall never forget and which I shall ever cherish as one of the pleasant memories of my life. That picture is the average of the views of a great number of people, and is neither colored by friendship nor distorted by dislike. All narrow individual views merged, interwoven, and overshadowed into one, and the picture of the true man stands forth in my mind clean-cut, complete in outline, and beautiful, and I regret that these feeble words of mine can not reproduce for you the picture of this man.

The men are few in active political life who have the intellectual and moral strength to withstand the searchlight of daily familiarity with a large local constituency and rise above local jealousies and criticisms.

Few there are who can stand forth unsullied, transparent, and flawless under the X-ray of public opinion, but Senator KYLE was such a man.

Having been educated for the ministry and followed the profession, Senator KYLE, inexperienced in politics, was suddenly injected into official life by one of the strange circumstances which are so apt to arise in Western politics, and at a time when political issues were at fever heat.

He stepped from the place of a minister of the gospel and financial agent of a church college to State senator, and from there to the highest office in the gift of the entire people of a State. Thrown into the place by a veritable political maelstrom of contending factions—elected under the most trying circumstances by the union of opposing and radically differing parties. Through it all, and in all the years that followed, he was the same clean, earnest, honest, unassuming, kindly, manly man and Christian gentleman that he had been in the past.

Although in high political station, he did not grow away from